



The Corporation of the
Town of Milton

Council Chambers - Town Hall
150 Mary Street, Milton, ON L9T 6Z5

March 25, 2024, 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.

Pages

1. **CALL TO ORDER**
Chairs for this meeting: Mayor Krantz and Councillor Khalqi
2. **MOMENT OF SILENT REFLECTION / O' CANADA / TRADITIONAL LAND ACKNOWLEDGEMENT**
3. **AGENDA ANNOUNCEMENTS / AMENDMENTS**
4. **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**
5. **CONSENT ITEMS**
 - 5.1 Minutes of the Council Workshop held on February 26, 2024 6
 - 5.2 Minutes of the Council meeting held on March 4, 2024 7
 - 5.3 Confidential Minutes of the Council meeting held on March 4, 2024
 - 5.4 2023 Year End Report on Investments 14
THAT report CORS-007-24 be received for information.
 - 5.5 2023 Annual Statement of Remuneration and Expenses 24
THAT the 2023 Annual Statement of Remuneration and Expenses be received for information.
 - 5.6 2024 Halton Court Services Business Plan and Budget 29
THAT the 2024 Business Plan and Budget for Halton Court Services (attached as Appendix A), including the transfers to/from reserve as

presented, be approved.

- 5.7 Annual Development Charge Indexing** 53
THAT the indexing of the Town’s development charges be received for information.

- 5.8 Notice of Intention to Designate_93 Victoria Street_ David Watson Campbell House** 59
THAT Staff Report DS-020-24 entitled “Notice of Intention to Designate - 93 Victoria Street – David Watson Campbell House be received and;
THAT Milton Council recognizes the historic house at 93 Victoria Street in the Town of Milton as being of heritage significance;
THAT Milton Council designate the property under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18 for the reasons outlined in the Reasons for Designation attached as Appendix 1 to this Report;
AND THAT the Town Clerk provides the Notice of Intention to Designate as outlined in Section 29 (4) of the Ontario Heritage Act;
AND FURTHER THAT once the thirty-day objection period has expired and if there are no objections, a designation by-law is brought forward for Council adoption.

6. DELEGATIONS

7. PUBLIC MEETING

- 7.1 LOPA-02-24 & Z-03-24 – 11801 Derry Road (Takol CMCC Derry Limited Partnership) – Initial Report and Public Meeting** 94
7.2 Public Meeting and Technical Report: Town-initiated Housekeeping Amendment to Zoning By-law 144-2003, as amended (Town File HKA-01/24). 125
7.3 Public Meeting and Information Report: Plan of Subdivision, Local Official Plan Amendment and Zoning By-law Amendment by Anatolia Real Estate Corp. for the lands known as 6728 Sixth Line (Files: 24T-24001/M, LOPA-01/24, and Z-02/24) 137

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- 9.1 Update Report: Reid Road Reservoir Quarry – Aggregate Resources Act Licence Application and the Environmental Assessment Process (James Dick Construction Limited).** 155
9.2 Z-01/24 – 1000337795 Ontario Inc. (245 Commercial Street) – Technical Report 181

9.3	Technical Report – Official Plan Amendment and Zoning By-law Amendment Applications by Orlando Corporation, Heartland (Seven) Ltd and Quarre Properties Inc. to permit the development of two industrial subdivisions (Files: LOPA-09/21, Z-26/21, Z-27/21)	194
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9.5	Purchasing Various – March 2024	397
9.6	Procedure By-law Review	420
10.	<u>INTRODUCTION OF NOTICE OF MOTION</u>	
11.	<u>REGIONAL COUNCIL UPDATE</u>	
12.	<u>STATEMENT BY MEMBERS</u>	
13.	<u>CONFIDENTIAL SESSION</u> Milton Council will convene into confidential session to discuss a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Town, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization with respect to MEV lands discussion.	
14.	<u>OPEN SESSION</u>	
15.	<u>BY-LAWS</u>	
15.1	014-2024 Procedure By-law - Repeal 007-2019 A BY-LAW TO PROVIDE FOR THE RULES OF ORDER OF COUNCIL AND ITS COMMITTEES, AND TO REPEAL & REPLACE BY-LAW NO. 007-2019, AND ITS AMENDING BY-LAWS, SPECIFICALLY BY-LAW NUMBERS 034-2019, 015-2020, 031-2020, 041-2020, 064-2020 & 068-2021	430
15.2	019-2024 Uniform Traffic Control By-law Schedules 1, 7 and 23 BEING A BY-LAW TO AMEND BY-LAW NO. 1984-1, AS AMENDED, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON HIGHWAYS UNDER THE JURISDICTION OF THE TOWN OF MILTON	471
15.3	020-2024 Century Grove Housekeeping Amendment HKA-01-24 BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 3, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VALLEYGROVE ESTATES & MILTON MEADOWS PROPERTIES INC.) – FILE: HKA-	476

- 15.4 021-2024 TR - 245 Commercial Street File Z-01-24** 479
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- 15.5 022-2024 OPA 79 North Porta Orlando Z-26-21, Z-27-21, LOPA-09-21** 482
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- 15.6 023-2024 ZBA North Porta Orlando Rural East Lands, LOPA-09-21, Z-26-21, 24T-21007M** 490
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- 15.7 024-2024 ZBA North Porta Orlando Urban East Lands, LOPA-09-21, Z-26-21, 24T-21007M** 494
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- 15.10 027-2024 Designation By-law - 346 Pearl Street, Kenney Family House** 506
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- 15.11 028-2024 General Signing March 2024** 510
BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF DOCUMENTS
- 15.12 029-2024 Confirm Proceedings By-law - March 25, 2024** 512
BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON AT ITS MEETINGS HELD MARCH 25, 2024 AT 6:00 PM AND 7:00 PM

16. ADJOURNMENT



The Corporation of the
Town of Milton
COUNCIL WORKSHOP MINUTES

February 26, 2024, 7:00 p.m.

Members Present: Councillor Ali, Councillor Best, Councillor Challinor, Councillor Malboeuf, Councillor Tesser Derksen, Councillor Ijaz, Councillor Marshall, Councillor Khalqi

Members Absent: Mayor Krantz

1. **Notice**

Acting Chair: Councillor Marshall

The Town Clerk advised that in accordance with the Town's Procedure By-law, "Workshop" means a meeting of Council where the purpose is for members of Council to discuss matters in an informal venue. She advised that no resolutions shall be passed at a workshop, with the exception of procedural motions.

2. **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

None.

3. **ITEMS**

3.1 **Multi-Year Financial Strategy**

Glen Cowan, Chief Financial Officer & Treasurer provided a presentation.

4. **ADJOURNMENT**

There being no further business to discuss the Acting Chair adjourned the meeting at 8:40 p.m.



The Corporation of the
Town of Milton
COUNCIL MINUTES

March 4, 2024, 7:00 p.m.

Members Present: Mayor Krantz, Councillor Challinor, Councillor Malboeuf, Councillor Tesser Derksen, Councillor Ijaz, Councillor Marshall, Councillor Khalqi

Members Absent: Councillor Ali, Councillor Best

The Council for the Corporation of the Town of Milton met in regular session at 7:00 p.m. This meeting was held as a hybrid meeting with Members of Council having the opportunity to participate in-person at Town Hall or electronically.

Councillor Best and Councillor Ali were present electronically from 8:30 p.m. to 8:48 p.m.

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1. **CALL TO ORDER**
 2. **MOMENT OF SILENT REFLECTION / O' CANADA / TRADITIONAL LAND ACKNOWLEDGEMENT**
 3. **AGENDA ANNOUNCEMENTS / AMENDMENTS**

Mayor Krantz announced that he participated in a cheque presentation from the OLG, whereby the Town received a cheque in the amount of \$7,450,061 for the fiscal year of April 2022 - March 2023. He noted that these funds were allotted to the Town as part of the OLG's revenue sharing with the municipality and the Town uses a portion of these funds to support Milton's non-profit sector through the Milton Community Fund and Small Grants Program, making an impact across Milton.

The Mayor thanked members of the Milton & District Horticultural Society who joined in the presentation earlier tonight. The Mayor noted that the Society was granted almost eighteen thousand dollars to assist in the enhancement of the Sunny Mount Community Garden.

Mayor Krantz thanked the OLG for their partnership, and collectively supporting A Place of Possibility for Milton.

Mayor Krantz also recognized the following property owners who recently received their bronze heritage plaque for a recent heritage designation on their properties:

- 1335 Basswood Crescent, Bowes House
- 17091 Fifth Line, Thomas Bell Horse Barn
- 76 King Street, Thomas Ford House
- 22 King Street, Alex Hogg Farmhouse
- 111 Mary Street, Edwin Earl House

The Town Clerk noted that on Friday, March 1, 2024, a revised agenda was posted to the Town website with the addition of a delegation with respect to Items for Consideration Item 9.2 - Technical Report – Zoning By-law Amendment Application – Chad John-Baptiste and representatives of Ahmadiyaa Muslim Jama'at Canada Inc.

The Town Clerk noted that a revision to By-law 015-2024 was posted, clarifying language regarding fencing along the southern lot line.

The Town Clerk announced that there is one statutory public meeting scheduled with regard to a Zoning By-law Amendment Application by 1000337795 Ontario Inc. applicable lands located 245 Commercial Street and the Town Clerk provided information on how to participate and provide comments on this application.

4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

None.

5. CONSENT ITEMS

Res. 023-24

THAT Consent Items 5.1 to 5.4 be approved.

Carried

5.1 Minutes of the Council meeting held on February 12, 2024

5.2 Confidential Minutes of the Council meeting held on February 12, 2024

5.3 Recommendation Report - Notice of Intention to Designate 10780 Second Line - School Section #3

THAT Staff Report DS-010-24 entitled: “Notice of Intention to Designate 10780 Second Line - School Section # 3 be received and;

THAT Council recognizes the historic house at 10780 Second Line in the Town of Milton as being of heritage significance;

THAT Council designate the property under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18 for the reasons outlined in the Reasons for Designation attached as Appendix 1 to this Report;

AND THAT the Town Clerk provides the Notice of Intention to Designate as outlined in Section 29 (4) of the Ontario Heritage Act;

AND FURTHER THAT once the thirty-day objection period has expired and if there are no objections, a designation by-law is brought forward for Council adoption.

5.4 Reimbursement to OPG Derry Green Lands Inc. for the Municipal Class Environmental Assessment and Design of Louis St. Laurent Avenue (James Snow Parkway to Fifth Line)

THAT Council approve a new 2024 capital project C340038 – Louis St Laurent Avenue (James Snow Pkwy to Fifth Line) in the amount of \$472,902.77, to be funded from Development Charges.

6. DELEGATIONS

6.1 Items for Consideration #9.2

Subject: Zoning By-law Amendment Application by Ahmadiyya Muslim Jama’at Canada Inc. applicable to lands located at 1456 Bronte Street South (Town File: Z-12/21)

Name: Chad B. John-Baptiste, Senior Principal WSP, addressed Council with respect to Staff Report DS-013-24.

7. PUBLIC MEETING

7.1 Public Meeting and Initial Report: Zoning By-law Amendment Application by 1000337795 Ontario Inc. applicable to lands located at 245 Commercial Street (Town File: Z-01/24)

Dorothy Yeung, Planner / Development Coordinator, Urban in Mind, representative for the applicant, addressed Council with respect to Staff Report DS-008-24.

As no members of the public came forward at this time, the Acting Chair closed the public meeting.

Res. 024-24

THAT Development Services Report DS-008-24 Be Received for Information.

Carried

8. PRESENTATIONS

9. ITEMS FOR CONSIDERATION

9.1 Technical Report – Zoning By-law Amendment Application by 2376439 Ontario Inc. for the lands known municipally as 6360 and 6382 Regional Road 25 (Town File: Z-11/23)

Res. 025-24

THAT Staff Report DS-011-24 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to facilitate the construction an 8 storey long term care facility with ground floor commercial 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-011-24 for Council adoption.

Carried

9.2 Technical Report: Zoning By-law Amendment Application by Ahmadiyya Muslim Jama'at Canada Inc. applicable to lands located at 1456 Bronte Street South (Town File: Z-12/21)

Res. 026-24

THAT Application Z-12/21 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 site-specific Minor Institutional

Zone (I-A*342) Zone to permit the development of a Place of Worship, 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-013-24 for Council Adoption.

Carried

9.3 Procedure By-law Review

Res. 027-24

THAT Council defer consideration of the main motion to the March 25, 2024 Council meeting.

**This recommendation varies from the recommendation contained in Staff Report CORS-006-24.*

Carried

9.4 Motion for Consideration - Renaming Milton Community Park A - Challinor II

Res. 028-24

WHEREAS the late Miltonian, Peter McMullen, helped to pioneer the development of minor baseball in Milton, served as the President of the Ontario Baseball Association and also served as President of the Halton County Baseball Association;

AND WHEREAS life-long Miltonian, Glenn Turner, helped to re-establish the Milton Red Sox Baseball Club, maintained Milton's premier baseball diamond for 33 years, managed the community's premier inter-county baseball team for 37 years and helped the Town of Milton design its premier baseball diamonds at Milton Community Park;

THEREFORE BE IT RESOLVED THAT Milton Council consider a facility name change to Milton Community Park #1 (Premier) for Peter McMullen;

AND FURTHER, BE IT RESOLVED THAT Milton Council consider a facility name change to Milton Community Park #2 for Glenn Turner;

THAT FINALLY, BE IT RESOLVED THAT staff be directed to proceed in accordance with Policy 69: Naming and Re-Naming Municipal Facilities.

Carried

10. **INTRODUCTION OF NOTICE OF MOTION**

11. **REGIONAL COUNCIL UPDATE**

12. **STATEMENT BY MEMBERS**

13. **CONFIDENTIAL SESSION**

Council convened into confidential session at 8:03 p.m.

Councillor Best and Councillor Ali were present electronically from 8:30 p.m. to 8:48 p.m.

Res. 029-24

THAT Milton Council convene into confidential session to discuss a proposed or pending acquisition or disposition of land by the municipality or local board regarding a verbal presentation on strategic property acquisitions.

Carried

14. **OPEN SESSION**

Res. 030-24

THAT Council resume in open session.

Carried

Res. 031-24

THAT the verbal presentation be received for information.

Carried

15. **BY-LAWS**

Res. 032-24

THAT By-law Numbers 015-2024 through to and including Bylaw 018-2024, be READ, PASSED AND NUMBERED;

AND THAT the Mayor and the Town Clerk be authorized to sign the said By-laws, seal them with the seal of the Corporation and that they be engrossed in the By-law Book.

Carried

- 15.1 014-2024 Procedure By-law - Repeal 007-2019**
- 15.2 015-2024 ZBA Jamaat Canada, 1456 Bronte St S File Z-12-21**
- 15.3 016-2024 ZBA 2376439 Ontario Inc, 6360 RR25 File Z-11-23**
- 15.4 017-2024 Pt Lot Control, Pony Pines Developments PLC-01-24 20M-1242**
- 15.5 018-2024 Confirm Proceedings - March 4, 2024**

16. ADJOURNMENT

There being no further business to discuss the Acting Chair adjourned the meeting at 8:50 p.m.

Gordon A. Krantz, Mayor

Meaghen Reid, Town Clerk



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: CORS-007-24

Subject: 2023 Year End Report on Investments

Recommendation: THAT report CORS-007-24 be received for information.

EXECUTIVE SUMMARY

This report provides a detailed review of the Town's investment portfolio for the twelve months ending December 31, 2023 with the following information of note:

- The average portfolio balance was \$293.8 million.
- The overall portfolio average return was 3.95% on an annualized basis.
- The Town generated \$11.6 million in investment revenue in 2023, which was \$4.8 million higher than 2022 and exceeded budget by \$3.7 million.

REPORT

Background

This report has been prepared to provide an annual update to Council on the 2023 performance of the Town of Milton's investment portfolio as required by Ontario Regulation 438/97 (as amended) of the Municipal Act, 2001 and the Town's policy No. 116 - Financial Management - Treasury.

All investments made by the Town of Milton are in accordance with the approved Investment Policy which has the following basic objectives, in order of priority:

- i. Adherence to statutory requirements;
- ii. Preservation of principal;
- iii. Ensuring availability of cash to meet disbursements and other obligations;
- iv. Maintaining liquidity;
- v. Diversification of the investment portfolio, commensurate with constraints in (i) to (iv);

Background

- vi. Earning a competitive rate of return, commensurate with constraints in (i) to (v);
- vii. Regular review of the effectiveness of the policy in meeting the above objectives;
- viii. Periodic audit of the investment program to ensure adherence to the policy.

In addition, all investments must meet the eligibility requirements set out by Ontario Regulation 438/97 (as amended), which specifies limits for each type of investment that can be held.

Discussion

Interest Rates

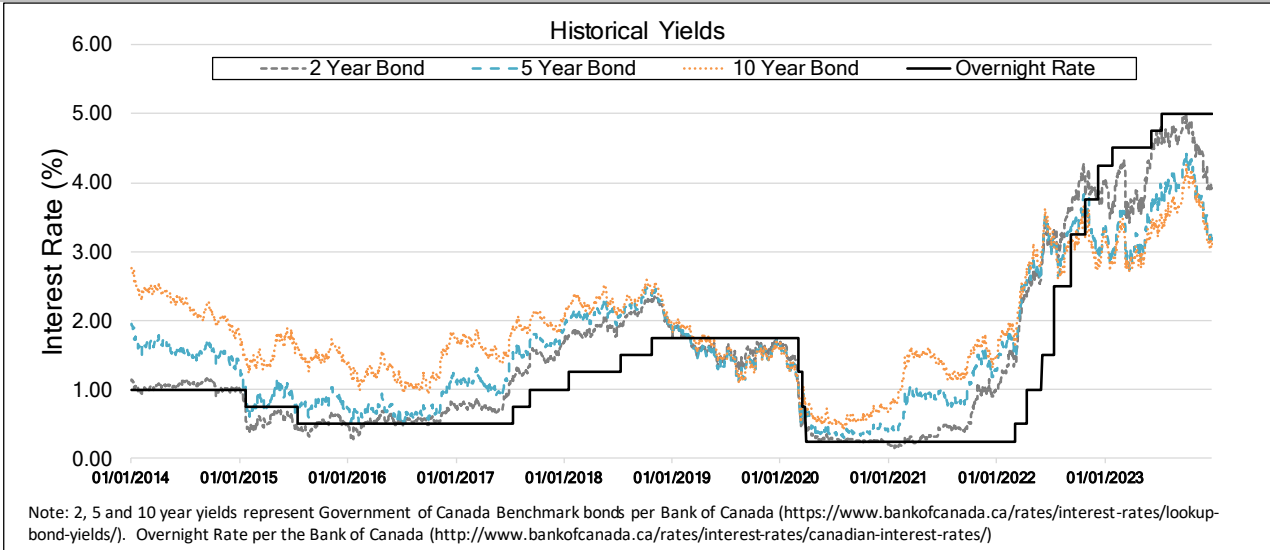
During 2023 the Bank of Canada (BOC) increased the overnight rate by 75 basis points from 4.25% to 5.00% to help address higher levels of inflation which have started to ease from a high of 6.8% in 2022 to 3.9% in 2023. As 2023 progressed, the economy started to slow however it remained more robust than originally anticipated by the BOC due to labour market conditions and sticky levels of inflation. The immediate impact on the Town is the overnight rate directly impacts the return received by the Town on funds in the bank and some short term investments.

Over the course of 2023 yields on longer dated bonds were fairly flat for the first six months of the year. As the market started pricing in decreases in the overnight rate the longer term investment yields declined starting in the Fall of 2023, resulting in an inverted yield curve (short term rates are higher than long term rates). Overall, returns were higher in 2023 than in 2022, for reference, the return on a 5 year Government of Canada bond averaged 3.56% in 2023 (2022 average: 2.78%) and 10 year Government of Canada yields averaged 3.36% in 2023 (2022 average: 2.77%)¹.

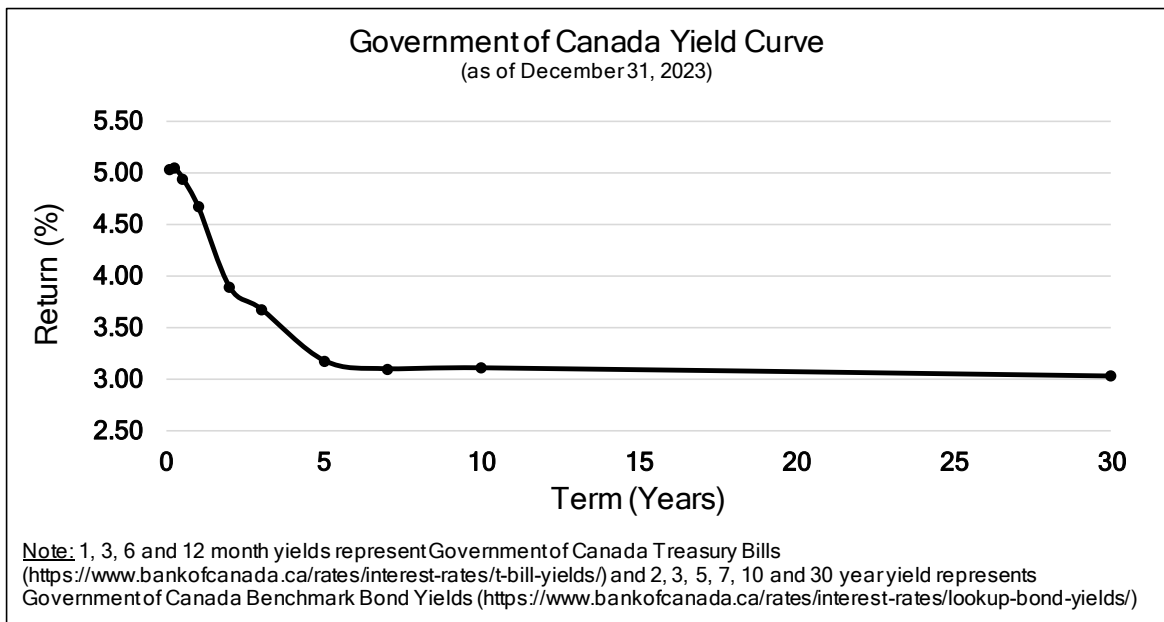
Historical overnight rates and bond yields are illustrated in the graph below which also shows that in 2023 yields increased to the highest levels in the previous ten years.

¹ Bank of Canada. Canadian Bond Yields: 10 Year Lookup table, V39059 Government of Canada Marketable Bonds Average Yield 1 to 3 Year and V39055 Government of Canada Benchmark Bond Yields 10 Year. <http://www.bankofcanada.ca/rates/interest-rates/lookup-bond-yields/>. Accessed February 7, 2023.

Discussion



The chart below shows investment yields at the end of 2023 were inverted (downward sloping) where short term investments have a higher yield than long term investments, assuming the same credit quality, decreasing the financial benefits associated with long-term investment opportunities as compared to short-term.





Discussion

Investment Portfolio

2023 year-end cash and investment holdings for the Town, excluding the Town's investment in Milton Hydro, were as follows:

Investment Holdings (\$ Millions) as of December 31, 2023

Investment Type	Book Value	Market Value	Return in 2023
Cash	\$56.9	\$56.9	5.28%
Short Term	\$0.0	\$0.0	4.00%
Long Term	\$218.3	\$216.3	3.37%
Total	\$275.2	\$273.2	3.95%

Cash

The Town's 2023 year-end cash balance was \$56.9 million, and had an average balance of \$85.3 million. The average yield on cash balances for 2023 was 5.28% generating \$4.5 million in interest.

Short Term Investments

The balance in short term investments (securities with a holding period of one year or less) was \$0.0 at year end as funds were re-invested into longer term investments upon maturity to take advantage of favourable long term rates. During 2023 the average balance was \$11.9 million which generated \$0.5 million in investment income and returned an average yield of 4.00%. The lower overall short term return compared to cash is related to short term deposit notes that were purchased through 2022 at lower rates of return which have now matured in 2023.

Long Term Investments

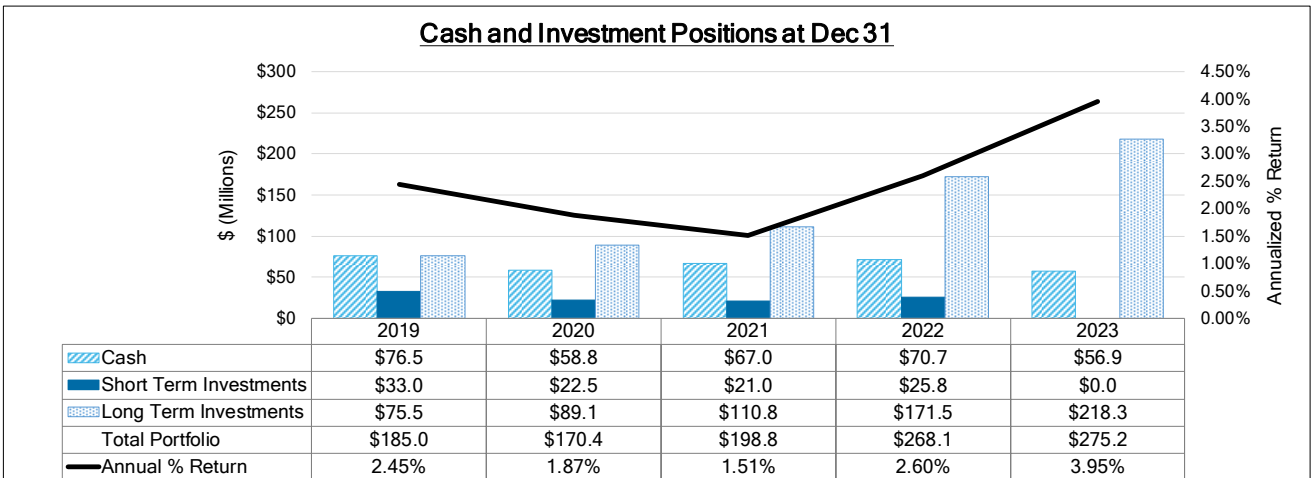
Long term investments had an average balance of \$196.5 million during 2023, generated \$6.6 million in investment income and returned an average yield of 3.37%. At year-end, the Town held 82 securities with a book value of \$218.3 million and a market value of \$216.3 million. This translates into \$2.0 million in unrealized losses due to the rapid rise in interest rates (bond prices decline as yields increase). Consistent with prior years the unrealized losses have not been included in the investment return figures as the Town generally holds investments until maturity and, therefore, the unrealized book losses will have no impact on investment earnings.

Discussion

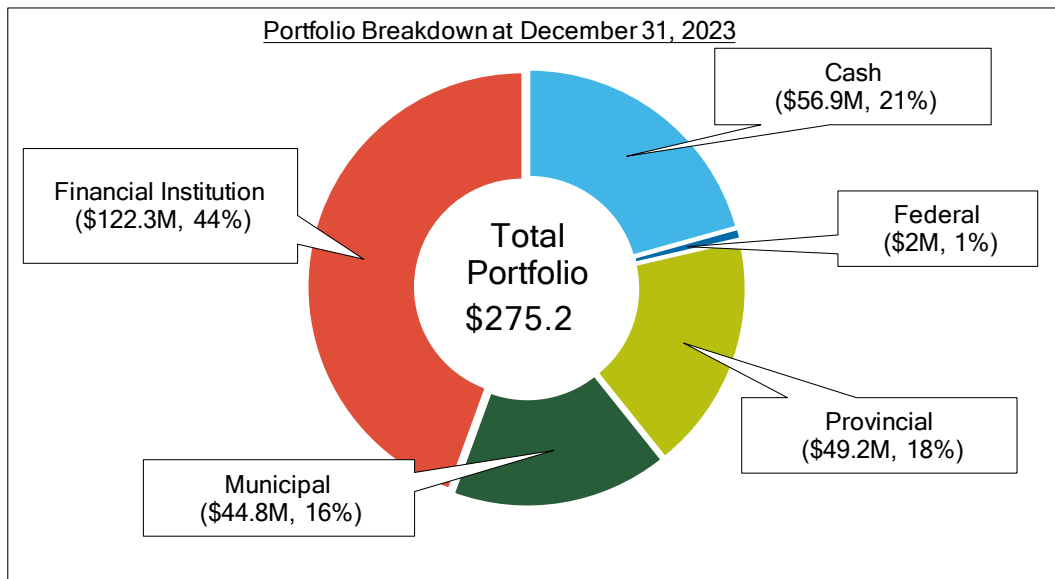
Overall Portfolio

The average rate of return for the year for the entire portfolio was 3.95%, generating \$11.6 million in investment income (includes interest income and amortized premiums or discounts) which is an increase of \$4.8 million when compared to 2023. Due to the rapid increase in interest rates throughout 2023 the overall results were \$3.7 million favourable to budget.

Holdings at year-end and historical returns are compared over the past five years in the following table:



Portfolio Breakdown and Policy Limits





Discussion

The Town’s Treasury Policy outlines limitations on holdings, expressed as a percentage of the total portfolio as well as identifying the minimum credit rating for securities based on the classification of the issuing organization and the form of investment. A detailed table showing investment portfolio holding by category as compared to policy limitations is included in Appendix 1. Through report CORS-024-22, Council approved an expansion to the list of eligible investments for the Town that would allow for exposure to the equity market through the ONE equity fund. Given the current market conditions, no investments have been made in that fund. It is expected that when the introduction of that investment product does occur, it will be undertaken on a phased basis.

All securities held in 2023 satisfied the credit rating requirement. In May 2023 the Town purchased a \$2.1 million Region of Halton debenture at a price of \$99.93 bringing the total holdings in Region of Halton Debentures to \$4.1 million, representing approximately 1.5% of the overall portfolio.

Comparisons

Direct comparator information and benchmarking is not easily available due to differing calculation methods for investment returns, different portfolio compositions, term structures and investment strategies.

One alternative that is available to municipalities is products offered by the One Investment Fund. Below are the returns for those funds as noted in their December 2023 Performance Report, noting that the gains experienced in 2023 helped several of the funds recover from the losses that were experienced in 2022.

One Investment Fund Returns for the Period Ending December 31, 2023

Portfolio	1 Year	5 Year	10 Year
Money Market Portfolio	4.65%	N/A	N/A
Canadian Government Bond Portfolio	4.61%	1.34%	1.36%
Canadian Corporate Bond Portfolio	6.25%	1.42%	2.36%
Canadian Equity Portfolio	17.22%	10.41%	9.04%

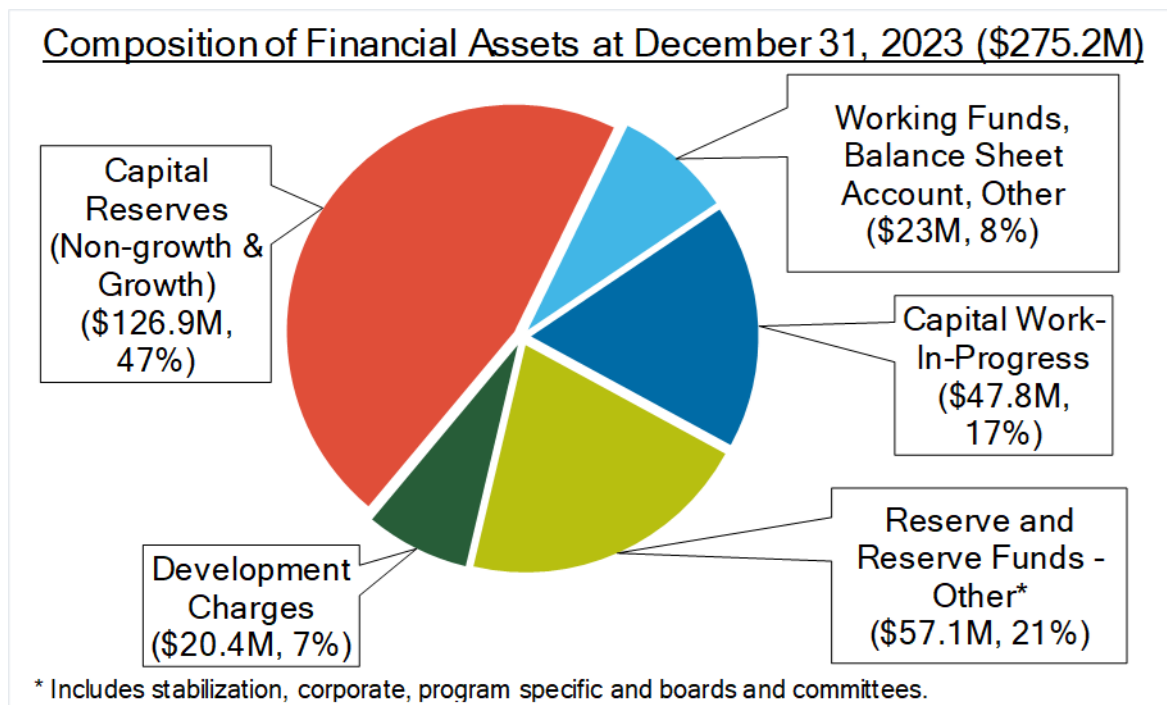
Sources of Funds

The Town’s portfolio is comprised of funds held for a variety of purposes, each with its own investment horizon and liquidity needs. As the third priority in Milton’s investment policy involves ensuring sufficient cash is available to satisfy the disbursements and obligations of

Discussion

the Town, it is important to remain cognizant of the underlying needs when determining the Town’s investment strategy.

The following table summarizes the primary sources of the Town’s funds at 2023 year end. Although no individual category should be viewed as being entirely correlated to one specific investment timeframe, they have been presented in order of liquidity with the working funds / balance sheet amounts requiring the greatest liquidity (shortest time frame) and the capital reserves generally having a longer investment horizon.



Sinking Fund

In 2015 the Town approved a \$15 million 30 year sinking fund for a portion of the Town’s contribution to the Hospital. The Hospital sinking fund is held and managed by the Region of Halton, for the purposes of retiring the debt at maturity. As a result, the Town’s portfolio balances exclude the sinking fund and the overall investment income excludes any interest income earned on the sinking fund investments.

For 2023, Milton’s contribution to the sinking fund equaled \$302,726 and \$94,088 in return on investment was achieved by the Region of Halton. As such, the year-end value of the fund was \$2,816,716, which exceeds the originally projected year-end balance.



Discussion

2024 Outlook

Since July 2023, the BOC has set the overnight rate at 5.0% and as of January 2024 have communicated they are in a wait and see approach on adjusting the overnight rate further as they believe current policy is tight enough, and may need to continue longer given ongoing inflation pressures. The BOC will continue to monitor economic growth, inflation, labour market, productivity growth and housing before looking at reducing the overnight rate. As of January 2024, the market has priced in approximately three overnight rate cuts for the remainder of 2024. In terms of inflation, the most recent forecasts from the BOC project CPI inflation to decrease to approximately 2.4% at the end of 2024 and 2.1% by the end of 2025. This has led to a decline in long term investment yields since the last quarter of 2023 and it is expected that yields will decline further over the next few years. Staff will continue to monitor market conditions for the purposes of making investment decisions while adhering to the objectives of the Town's Treasury Policy No. 116.

Financial Impact

Of the \$11.6 million realized in investment income in 2023, \$1.9 million was allocated to the Operating budget and the remaining funds of \$9.7 million to reserves and reserve funds in accordance with the 2023 budget allocations and the Town's Treasury Policy No. 116.

The aforementioned \$3.7 million favourable variance is reflected in higher capital reserve and reserve fund balances and has no immediate impact on the operating budget which limits investment earnings in the event of a significant market adjustment (see Financial Principles Policy No. 110). The revised interest earning amounts in those reserve balances will be incorporated into the capital financing and planning exercises undertaken in 2024.

The cost of managing the overall portfolio is in order of 0.05% of the portfolio value and has been included in the 2023 budget.

Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact: Brad Schultz, CMA, CPA

905-878-7252
Ext. 2248



Attachments

Appendix 1 - Investment Portfolio Holdings and Limitations

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 1 - CORS-007-24

Investment Portfolio Holdings and Limitations

Authorized Investments and Limitations at December 31, 2023 (\$ Millions)										
Category / Sector ⁽¹⁾	Remaining Term			Total	% of Portfolio	Portfolio Maximum	Individual Maximum ⁽²⁾	Term Limitation (Years)	Minimum DBRS Rating ⁽³⁾	
	Less than 1 Year	1 to 5 Years	5 to 10 Years						Short-term	Long-Term
Cash	\$56.88	-	-	\$56.88	21%					
Federal and Federal Guaranteed⁽⁴⁾	-	-	\$1.96	\$1.96	1%	100%	100%	20	N/A	A (low)
Provincial and Provincial Guaranteed⁽⁴⁾										
Alberta	-	\$4.20	\$4.04	\$8.23	3%		20%	15	R-1 (low)	A (low)
British Columbia	-	-	\$4.79	\$4.79	2%		20%			
Manitoba	-	-	\$6.32	\$6.32	2%		20%			
New Brunswick	-	-	\$2.07	\$2.07	1%		20%			
Ontario	-	\$2.41	\$9.96	\$12.37	4%		20%			
Prince Edward Island	-	-	\$0.99	\$0.99	0%		20%			
Quebec	-	-	\$13.41	\$13.41	5%		20%			
Saskatchewan	-	-	\$1.04	\$1.04	0%		20%			
Provincial and Provincial Guaranteed Sub-total	\$0.00	\$6.61	\$42.63	\$49.24	17.9%	100%				
Municipal and Municipal Guaranteed										
BC Municipal Finance Authority	-	\$1.06	\$7.45	\$8.51	3%		10%	15	R-1 (low)	A (low)
City of Toronto	-	\$0.98	\$1.00	\$1.98	1%		10%			
Regional Municipality of York	-	\$6.73	\$6.05	\$12.78	5%		10%			
Regional Municipality of Peel	-	\$1.03	-	\$1.03	0%		10%			
City of Montreal	-	\$2.56	\$5.84	\$8.41	3%		10%			
Quebec City	-	-	\$2.50	\$2.50	1%		10%			
Region of Waterloo	-	-	\$4.42	\$4.42	2%		10%			
Region of Halton	-	-	\$4.12	\$4.12	1%		10%			
City of Vancouver	-	\$1.04	-	\$1.04	0%		10%			
Municipal and Municipal Guaranteed Sub-total	\$0.00	\$13.42	\$31.38	\$44.80	16%	50%				
Boards / Schools⁽⁵⁾ Sub-total	\$0.00	\$0.00	\$0.00	\$0.00	0%	15%		15	R-1 (low)	AA(low)
Financial Institution⁽⁶⁾										
Schedule I Bank (Six Majors)								10	R-1 (low)	A(low) ⁽⁸⁾
Bank of Montreal	\$4.00	\$9.00	\$5.00	\$18.00	7%		20%			
Bank of Nova Scotia (The)	\$10.00	\$22.20	\$17.25	\$49.45	18%		20%			
Canadian Imperial Bank of Commerce	\$4.00	\$10.00	-	\$14.00	5%		20%			
Royal Bank of Canada	\$5.83	\$11.87	\$4.95	\$22.64	8%		20%			
Toronto-Dominion Bank (The)	\$4.02	\$4.40	\$9.79	\$18.21	7%		20%			
Schedule I Bank (Six Majors) Sub-total	\$27.85	\$57.46	\$36.98	\$122.29	44%	60%				
Other Sch I/Sch II/Trust/Credit Union Sub-total	\$0.00	\$0.00	\$0.00	\$0.00	0%	20%		2	R-1 (low)	A(low) ⁽⁸⁾
Financial Institution Sub-total⁽⁷⁾	\$27.85	\$57.46	\$36.98	\$122.29	44%	60%				
ONE Investment Program	\$0.00	\$0.00	\$0.00	\$0.00	0%	25%		N/A	N/A	N/A
Asset Backed Securities				\$0.00	0%	10%	5%	5	R-1 (high)	AAA
Commercial paper or promissory notes				\$0.00	0%	10%	5%	1	R-1 (mid)	N/A
Total	\$84.73	\$77.49	\$112.95	\$275.17	100%					

Notes:

- (1) Per definitions and regulations under Ontario Regulation 438/97.
- (2) Individual maximum applies to either an individual institution or in the case of the ONE Investment Program it applies to individual portfolios.
- (3) Equivalent ratings from Moody's Investor Services, Standard and Poor's or Fitch Ratings are also acceptable.
- (4) Includes bonds, debentures or other evidence of indebtedness issued or guaranteed by the Government of Canada, or a Province of Canada. A minimum of 10% of the portfolio must be in the Federal or Provincial category.
- (5) Includes a University in Ontario that is authorized to engage in an activity described in section 3 of the Post-secondary Education Choice and Excellence Act, 2000 and a college established under the Ontario Colleges of Applied Arts and Technology Act, 2002.
- (6) Includes bonds, debentures, deposit receipts, deposit notes, certificates of deposit or similar instruments issued, accepted, guaranteed or endorsed by a bank in Schedule I or II or a Credit Union, including bail-in. Six major Schedule I Banks include: Bank of Montreal, Bank of Nova Scotia (The), Canadian Imperial Bank of Commerce, National Bank of Canada, Royal Bank of Canada and Toronto-Dominion Bank (The). Credit Unions require financial statements or certification in writing that various financial criteria has been met as outlined in O. Reg. 438/97.
- (7) The overall Financial Institution category shall not exceed 60% of the total portfolio, within this category:
 - i) Aggregate holdings of the Six major Schedule I Banks shall not exceed 60% of the total portfolio; and
 - ii) Aggregate holdings of Schedule II & Other Schedule I Banks not listed above and Trust Loan / Credit Union's shall not exceed 20% of the total portfolio.
- (8) For securities of bonds, debentures, promissory notes or other evidence of indebtedness, issued or guaranteed by a bank listed in Schedule I, II or III to the Bank Act (Canada) with a term-to-maturity less than or equal to 2 years on the day the investment is made, the prescribed minimum credit rating is AA(low).
- (9) The ONE Investment Program provides recommended investment timelines for each fund however funds can be withdrawn with one day's notice and investments in each pool meet eligibility criteria as defined by regulations under the Municipal Act.



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: CORS-009-24

Subject: 2023 Annual Statement of Remuneration and Expenses

Recommendation: **THAT the 2023 Annual Statement of Remuneration and Expenses be received for information.**

EXECUTIVE SUMMARY

This report satisfies the requirements of Section 284 of the Municipal Act, 2001 by presenting the remuneration and expense amounts for the fiscal year 2023.

REPORT

Background

Section 284 of the Municipal Act, 2001 requires a report be submitted to Council by March 31st of each year to outline the remuneration and expenses paid in the previous year to each member of Council in respect of his or her service as:

- a member of Council
- a member of any other body to which the member has been appointed by Council or holds office by virtue of being a member of Council;
- an officer or employee of the municipality or other body described above.

The Town is also required to report for each person, other than a member of Council, appointed by the municipality to serve as member of any body, for his or her services as a member of that body. Accordingly, this report is being submitted to disclose remuneration and expenses for the year ended December 31, 2023.

Discussion

Listed below are expenses incurred for 2023 authorized through the 2023 Budget and in accordance with the policies approved via CORS-055-22 (Council Compensation Policy) as well as CORS-042-19 (Council Expense Policy):



The Corporation of the Town of Milton

Discussion

Members of Council

Name	Salary ¹	Benefits	Professional Development	Council Expenses	Mileage/ Car Allowance	Total
Ali, Sameera	\$44,913	\$14,415				\$59,328
Best, Colin	\$44,913	\$14,415				\$59,328
Challinor II, John	\$40,404	\$6,620	\$2,681			\$49,705
Ijaz, Sammy	\$44,913	\$10,348				\$55,261
Khalqi, Adil	\$44,913	\$9,764	\$868			\$55,545
Krantz, Gordon	\$125,343	\$8,357	\$1,455		\$7,781	\$142,936
Malboeuf, Richard	\$44,913	\$8,360				\$53,273
Marshall, Sarah	\$44,913	\$14,373				\$59,286
Tesser Derksen, Kristina	\$44,468	\$7,307				\$51,775
Total	\$479,693	\$93,959	\$5,004	\$0.00	\$7,781	\$586,437

Note 1: Councillor salaries may vary where increases have been declined by Members of Council.

The differences in benefit amounts arise between members of Council due to three factors: age, optional items and family versus single. The table below lists all potential benefits and explains the variations that may exist:

Benefit Type	Age Threshold	Optional	Basis of Calculation
AD&D Insurance	70	Yes	% of income
Canada Pension Plan ¹	70	No	% of income
Dental	N/A	Yes	Flat Amount - Single or Family
Employer Health Tax	N/A	No	% of income
Health Benefits	N/A	Yes	Flat Amount - Single or Family
Life Insurance	85	Yes	% of income
OMERS	71	No	% of income
Travel Benefit	N/A	Yes	Flat Amount - Single or Family

Note 1 - Optional between age of 65 and 69.



Discussion

The “Age Threshold”, identifies benefits that would be removed once the age threshold is met. The “Optional” column identifies items that a member of Council could opt out of. The last column of the table indicates whether the benefit amount calculated is based on percentage of income or a flat rate. Of note is that the cost of individual benefits, such as CPP, EHT, or OMERS, that are based on a percentage of income may also vary because of taxable benefits (i.e. Life Insurance, AD&D, mileage allowance) not being applicable to all members of Council.

Other individuals appointed by Council that require disclosure include the Committee of Adjustment and Consent members, Property Standards Committee members, Milton Public Library Board members as well as Milton Hydro Holdings Inc. and its Subsidiaries:

Committee of Adjustment and Consent

Name	Meeting Allowance	Mileage	Total
Ellahi, Salman	\$600	\$53	\$653
Kluge, Mark	\$975	\$219	\$1,194
Jayaveer, Tharushe	\$750	\$227	\$937
Slaght, Tyler	\$775	\$130	\$ 905
Trombino, Christopher	\$675	\$314	\$989
Total	\$3,775	\$943	\$4,718

Property Standards Committee

Name	Meeting Allowance
Bitmanis, Sean	\$75
Jaffer, Trystan	\$75
Mattocks, John	\$75
Yaworski, Joe	\$75
Total	\$300



Discussion

Milton Public Library Board

In 2023, no remuneration was paid to members of the Milton Public Library Board.

Milton Hydro Holdings Inc. and its Subsidiaries

Council also appoints the Board members for Milton Hydro Holdings Inc. (MHHI), and as such disclosure of remuneration and expenses for those members in relation to the activities of MHHI is required. As per CORS-004-20 (Proposed Governance Changes for Milton Hydro Holdings Inc.), remuneration and expenses of the subsidiaries of MHHI is also included in the Town’s annual reporting. The subsidiaries consist of Milton Hydro Distribution Inc. (MHDI) and Milton Energy and Generation Solutions Inc. (MEGS). In 2023, there were no remunerations paid for MEGS.

Name	MHHI	MHDI	Total
Best, Colin	\$ 8,790	\$ 2,836	\$ 11,626
Gibson, Tim	\$ 8,790	\$ 2,836	\$ 11,626
Leitch, Matthew	\$ 9,926	\$ 2,272	\$ 12,198
Malboeuf, Richard	\$ 11,062	\$ 2,836	\$ 13,898
McFadden, Katrina	\$ 10,482	\$ 2,836	\$ 13,318
Minakakis, George	\$ 16,301	\$ 2,836	\$ 19,137
Penman, Brian	\$ 12,754	\$ 2,836	\$ 15,590
Swan, William	\$ 12,754	\$ 2,836	\$ 15,590
Total	\$ 90,859	\$ 22,124	\$ 112,983

Council also appoints members to other committees (i.e. DBIA, Halton Healthcare). No remuneration or expenses have been identified for these appointed roles for 2023.

Finally, it should be noted that for roles where Milton Council makes recommendations as to appointments (versus appointing the roles directly), the annual disclosure resides with the body that makes the final appointment. As such, remuneration and expenses related to Town-recommended members (i.e. Conservation Halton, Joint Compliance Audit Committee and the Grand River Conservation Authority) are reported at the Regional level.



Financial Impact

All remuneration and expenses incurred by the Town are in compliance with the related policies and reporting procedures, and accommodated as part of the annual budget process.

Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact: Zaneta Kowalik

Phone: Ext. 2122

Attachments

n/a

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

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



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: ES-002-24

Subject: 2024 Halton Court Services Business Plan and Budget

Recommendation: **THAT the 2024 Business Plan and Budget for Halton Court Services (attached as Appendix A), including the transfers to/from reserve as presented, be approved.**

EXECUTIVE SUMMARY

- The 2024 Business Plan and Budget for Halton Court Services (HCS) reflects increases in both expenditures (2.2%) and revenues (3.1%) relative to 2023. The 2024 net budget of \$1.8 million is expected to result in a distribution to Milton of \$0.16 million.
- An update on the potential transfer of Part III POA prosecutions to municipalities is also provided. Although not recommended at this time, if a transfer is mandated additional resources and costs (at an estimated net cost of \$0.16 million) are anticipated for HCS.

REPORT

Background

In 2001 the administration of the Provincial Offences Act (POA) was transferred from the Province to the municipalities in the Region of Halton. At that time the following occurred:

1. The establishment of a Joint Management Board (comprised of the CAO's from the Halton municipalities including the Region) to oversee the management and operation of HCS.
2. An agreement on the funding formula whereby 50% of the net revenues generated by HCS are allocated to the Region of Halton. The remaining 50% of the net revenues are divided among local municipalities based on annual weighted regional assessment rates.

Background

In 2007, the City of Burlington was named the Service Provider on behalf of HCS as part of the implementation of a two phase streamlining initiative, now referred to as the Growth Management Plan (GMP). The GMP along with the business plan and budget is reviewed annually by the Area Treasurers and the Joint Management Board. Milton Council policy number 90 outlines the Town's role as an equal partner with the Halton Court Services - Provincial Offences Office. That policy, along with the agreement with the municipal partners, includes a requirement for the business plan and budget to be approved by each Municipality in Halton on an annual basis.

Discussion

The 2024 Budget and Business Plan was developed by HCS staff in 2023 based on the mid-year results available for 2023. The budget was reviewed and approved by the Area Treasurers and the Joint Management Board.

The 2024 Budget and Business Plan is included in full detail as Appendices A. Notable points include but are not limited to:

- Gross revenue for HCS in 2024 is budgeted at \$8.89 million as compared to the \$8.6 million budgeted for 2023.
- Total expenditures in 2024 are budgeted at \$7.0 million compared to the \$6.86 million budgeted for 2023.
- The 2024 net budget of \$1.8 million is expected to result in a distribution to Milton of \$0.16 million.

Part III POA Prosecution

As outlined in further in the appendix, the Ministry of the Attorney General is going through a process of transferring the responsibility for the prosecution of Part III orders (i.e. those pertaining to more serious offences or by-law offences) to municipalities. At this time the ministry has provided a template Interim Transfer Agreement that outlines terms of a potential transfer. The agreement does not contemplate any form of financial reimbursement by the Province to municipalities for the costs associated with absorbing the additional responsibilities, and the no further opportunity to amend the template has been provided. As such it has been recommended that HCS not agree to voluntary assumption of Part III orders at this time. Should the transfer be mandated, additional staffing resources and costs will be incurred (currently estimated to be an additional \$158,845 per year). Further detail on these needs is provided in the appendix, and specifically include an additional prosecutor and an additional case administrator.



Discussion

Other Updates

Other updates provided in Appendix A (in Section 9) include advocacy related to the justice of the peace shortages, the backlog of court dates for Part I charges and Bill 177 impacts. A summary of the findings of the HCS's service delivery review is also provided (as Section 8).

In addition, following the presentation of the 2024 HCS budget to the Joint Management Board, the Board requested that a study be completed to assess the long term sustainability of the Provincial Offences Court given the reduced judicial resources provided by the Province to the Court and potential changes resulting from the Administrative Penalty Program. Authorization was provided by the Board to fund this work from the HCS reserves with results to be presented back to the Board once completed.

Financial Impact

The projected distribution from HCS to the Town of Milton for 2024 is \$158,845. This amount has already been reflected in the Town's 2024 Budget and Business Plan.

Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact: Glen Cowan Phone: Ext. 2151

Attachments

Appendix A: Halton Court Services 2024 Budget and Business Plan

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.

**ONTARIO COURT OF JUSTICE
PROVINCIAL OFFENCES OFFICE**

HALTON COURT SERVICES

**2024 BUSINESS PLAN AND
BUDGET**

**City of Burlington
Town of Halton Hills
Town of Milton
Town of Oakville
Regional Municipality of Halton**

September 2024

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RECOMMENDATIONS

1. **Recommendation:** Approve the 2024 Halton Court Services budget as revised to exclude the cost of the new costs related to the transfer of Part III prosecutions.
2. **Recommendation:** A contribution of \$50,000 from net revenues is to be made to the Capital Reserve Fund during 2024 to ensure that requirements of the Reserve Fund Policy are met.
3. **Recommendation:** Withdraw \$20,000 from the Capital Reserve Fund for courtroom computer hard/soft replacements for the computer renewal program.
4. **Recommendation:** Reject the transfer of Part III offences to Halton Court Services at this time.
5. **Recommendation:** That subject to a mandated transfer of Part III prosecution, Halton Court Services be delegated the authority to hire one additional full time Case Administrator and one Full Time Prosecutor, with any required 2024 funding provided from the net revenues before distributions (via an in-year variance) and future years via the annual budget process.
6. **Recommendation:** Area Treasurers recommend that HCS circulate to the JMB and Area Treasurers a comparison of annual expenditures using the same comparator group and benchmark year(s) as was utilized in the Service Delivery Review undertaken by KPMG if the data is available.

OVERVIEW OF 2023 PERFORMANCE

1. BUDGET PERFORMANCE

Revenues to End of June

The Municipal Partners had budgeted gross revenues of \$8.6 million for 2023. The chart below summarizes results by end of June and projections for the remainder of the year.

There is an expected increase of approximately 12.3% in net revenue in 2023.

COMPARISON OF OVERALL PERFORMANCE TO BUDGET for the year ending December 31, 2023					
	2023 Budget	Actual June 30/23	Actual % of Budget	Projection Dec 31/23	Projection % of Budget
Gross Revenue	(\$8,617,109)	(\$4,286,781)	49.7%	(\$8,773,955)	101.8%
Operations	\$6,864,750	\$3,082,358	44.9%	\$6,805,218	99.1%
Net Revenue	(\$1,752,359)	(\$1,204,422)	68.7%	(\$1,968,135)	112.3%

COMPARISON OF 2024 BUDGET TO 2023 BUDGET						
	REVENUE			EXPENSES		
	2023 Budget	2024 Budget	% Difference	2023 Budget	2024 Budget	% Difference
Administration	(\$6,316,359)	(\$6,485,827)	2.7%	\$5,362,800	\$5,410,794	0.9%
Collections	(\$2,300,750)	(\$2,400,500)	4.3%	\$451,855	\$496,727	9.9%
Prosecution	0	0	0.0%	\$1,060,350	\$1,106,146	4.3%
TOTAL	(\$8,617,109)	(\$8,886,327)	3.1%	\$6,874,995	\$7,013,667	2.0%

2. OPERATIONAL PERFORMANCE

Provincial Offences Charges

Charge volumes are entirely driven by enforcement agencies and their initiatives, these charge volumes are the main influence on the revenues that are generated through HCS. At the end of Q2 2023 there were 23,477 (45%) charges filed of the projected 52,000 total for 2023. Filed charges are 2,584 short of Q2 projections. Therefore, the current projection for Q4 is that

charges may reach 47,000 (90% of projected total). HCS currently has a pre-paid rate of 40%, provincially the pre-paid rate is 47%.

The following chart provides the trend in number of filed charges since 2018 and includes totals for Q2 2023 and projected totals for the end 2023:

	2018	2019	2020	2021	2022	2023 Q2	2023 Projected
PART I	48,072	53,537	48,269	33,477	30,486	15,409	31,500
PART III	3,510	3,600	3,054	2,972	2,562	2,242	4,500
RLC	15,036	12,513	9,761	17,993	11,589	5,703	11,000
TOTAL	63,577	66,618	69,650	61,084	54,442	23,477	47,000

The following chart provides the number of charges by enforcement agency that were refused for filing with the reasons for refusal through Q2 2023:

AGENCY	REASON					TOTALS
	Late Filing	Date Error	Young Offender	Wrong Juris	Old/Wrong PON	
HRPS	58	98	1	0	3	160
OPP	14	0	0	0	0	14
MTO	80	0	0	0	2	82
OTHER	1	0	0	0	2	3
TOTALS	153	98	1	0	7	259

The following charts provide charge volumes for both Part 1 and Part 3 by enforcement agency through Q2 2023.

PART 1	JAN	FEB	MAR	APR	MAY	JUN	TOTALS
By-laws	7	3	4	5	2	4	25
OTHER ENF.	46	55	94	52	69	70	386
Halton Regional Police	2072	1739	1729	1544	2104	1554	10742
MTO	348	300	397	441	513	341	2340
OPP	304	390	376	347	378	244	2039
Red Light Camera	837	666	920	686	1114	1480	5703
TOTALS	3614	3153	3520	3075	4180	3693	21235

PART 3	JAN	FEB	MAR	APR	MAY	JUN	TOTALS
By-laws	44	7	9	28	4	3	95
OTHER ENF.	74	3	26	8	14	23	148
Halton Regional Police	252	262	182	207	286	266	1455
MTO	9	38	24	10	32	35	148
OPP	62	60	27	86	98	63	396
TOTALS	441	370	268	339	434	390	2242

3. AUDITS

External Audit

KPMG performed an audit of HCS for the period ended December 31, 2022. There were no items of concern to report to the Partnership by way of an auditors' management letter. KPMG maintains a practice of issuing qualified opinions for all of its POA court clients due to the inability to review cash procedures at other POA courts accepting fine payments on behalf of HCS, and to review controls of the provincial ICON system utilized by all POA courts across the province.

4. REVENUE STABILIZATION FUND

Following the request of the Area Treasurers, a Municipal Partner Revenue Stabilization Fund (MPRSF) was created in early 2014 to assist the partners in protecting against the impact of volatility in fine revenue, and to provide a source of funding to stabilize revenue sources annually, including the impacts related to the new court facility. Per policy, an annual review of the MPRSF is carried out by the Area Treasurers.

Flat-Lining Net Revenue Distribution

Net revenue surplus was transferred to the MPRSF between 2013 and 2017. Interest is allocated to the MPRSF on an annual basis.

The Area Treasurers directed that contributions to the MPRSF end as of 2018 given the healthy balance of the MPRSF. In 2021, the JMB directed to only distribute to the Partners the actual net revenue earned from operations going forward. The balance in the Stabilization Reserve Fund is \$835,292 at the beginning of 2023.

Stabilization Fund				
Year	Net Revenue Over Budget	Use of Funds	Interest (net of Admin Fee)	Balance
Balance Forward				\$835,292
2023*	\$0	\$100,000 (KPMG Service Review)	\$17,241	\$752,533
2024*	\$0	\$0	\$15,503	\$768,036
2025*	\$0	\$0	\$15,829	\$783,865
2026*	\$0	\$0	\$16,161	\$800,026
2027*	\$0	\$0	\$14,316	\$814,342

5. REVENUE SHARING

According to the established revenue-sharing agreement, the Region receives 50% while the Municipal Partners receive a percentage of the 50% balance based on assessment rates.

Following is a five-year overview of net revenue distribution since 2019 including the estimated annual distribution for 2023:

Historical Annual Revenue Sharing % Based on Tax Assessment					
	2019	2020	2021	2022	2023*
Burlington	15.70%	15.60%	15.44%	15.32%	15.20%
Halton Hills	4.60%	4.60%	4.60%	4.57%	4.54%
Milton	8.35%	8.40%	8.55%	8.64%	8.72%
Oakville	21.35%	21.40%	21.43%	21.48%	21.55%
Region of Halton	50.00%	50.00%	50.00%	50.00%	50.00%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%

Historical Annual Revenue Distribution to Partnership					
	2019	2020	2021	2022	2023*
Burlington	730,935	726,280	443,960	246,235	291,557
Halton Hills	214,159	214,159	132,435	73,453	87,083
Milton	388,746	391,074	250,380	138,869	167,261
Oakville	993,979	996,307	622,472	345,243	413,358
Region of Halton	2,327,820	2,327,820	1,448,957	803,639	959,068
TOTAL	\$4,655,640	\$4,655,640	\$2,898,203	\$1,607,439	\$1,918,327

*2023 budget to be realized

Overall Revenues

The Municipal Partners are projecting gross revenues based current trends and although population continues to grow at a fair rate across Halton, the number of charges filed has not be reflected in the population growth for the last several years. A modest increase is projected to 50,000 charges for 2024 over the current projection of 47,000 for 2023. Gross revenue for

HCS in 2024 is budgeted at **\$8.89 million** as compared to the **\$8.6 million** originally budgeted for during 2023.

Total expenditures in 2024 are budgeted at **\$7 million** compared to the **\$6.87 million** originally budgeted for 2023.

See Appendix A for a copy of the overall 2024 POA Budget.

Recommendation #1: Approve the 2024 Halton Court Services budget as presented.

6. WRITING-OFF OF UNCOLLECTABLE FINES

In accordance with the Write-Off Policy, the Municipal Partners are seeking approval from the Area Treasurers and the Joint Management Board to write-off those defaulted fines that have accumulated during 2023 where it has been determined there are no viable means of collection. Write-offs scheduled during 2023 will total approximately 190 cases with a total value of approximately \$85,763.

7. CAPITAL RESERVE FUND

Expenditures During 2023

Approximately \$69k was drawn for the 5 year computer refresh project to provide HCS with new laptops and docking stations.

Contribution During 2024

The Municipal Partners regularly conduct an annual review of the Capital Reserve Fund to ensure that future capital cost requirements are reflected and that the required minimum balance of \$300,000 is maintained. The Municipal Partners are recommending that the minimum contribution of \$50,000 continue to be made to the Capital Reserve Fund during 2023.

Requirements for 2024

HCS is scheduled to continue the Computer Renewal Program that started in 2023 and will be renewing 10 desktop computers in the courtrooms at an estimated cost of \$20,000.

Reserve Fund Forecast

Following is the Capital Budget Forecast over the next five years:

Capital Budget Forecast				
Year	Requirements	Use of Funds	Annual Contributions Including Interest	Projected Year-End Balances
	Balance Forward			\$397,797
2023	Computer Hard/Soft Replacements	(\$69,000)	\$57,756	\$386,552
2024	Courtroom Computer Hard/Soft Replacements	(\$20,000)	\$57,531	\$424,084
2025	TBD		\$58,282	\$482,365
2026	TBD		\$59,447	\$541,813
2027	TBD		\$60,636	\$602,449

Recommendation #2: A contribution of \$50,000 from net revenues is to be made to the Capital Reserve Fund during 2024 to ensure that requirements of the Reserve Fund Policy are met.

Recommendation #3: A withdrawal of \$20,000 from the Capital Reserve Fund for computer hard/soft replacements for the computer renewal program.

8. EXTERNAL REVIEW SUMMARY OF KPMG RECOMMENDATIONS

The external review of Halton Court Services was completed in June with the following recommendations:

KPMG Recommendation #1.1: Review Revenue Sharing Agreement

Benefit:

- Realigns revenue sharing agreement with current court services trends and Joint Management Board’s expectations

Implementation: 4-6 months

JMB should perform an assessment of the revenue sharing agreement

Action:

- Chief Financial Officer for COB has agreed to take this to the Area Treasurers

KPMG Recommendation #1.2: Enhance Reporting to JMB

Benefit:

- Increases transparency and accountability
- Identifies trends impacting court operations and revenues

Implementation: 7-12 months

- Develop dashboards that analyze current data points on volume of charges and refusal rates
- Update annual reporting processes to include the trend analysis and revenue projections by filing agency
- Begin tracking court closures, revenues that may be transitioned to administrative penalty programs and other external factors impacting court operations
- JMB to request data from OPP and HRPS

Action:

- The business plan now includes a summary of refused charges
- The business plan now includes a summary of charges by filing agency
- Court closure tracking sheet has been created and will be updated with each court closure going forward

KPMG Recommendation #1.3: Strategic Vision and Mission

Benefit:

- Provides direction and defines HCS's purpose to guide decision-making and goal setting
- Inspires and motivates employees by aligning purpose and values
- Enhances the reputation in the eyes of the public
- Focuses HCS's resources and efforts on a shared goal, rather than working on fragmented objectives

Implementation: +12 months

- Develop vision statement and guiding principles for HCS
- Ensure the vision and guiding principles are aligned with the JMB's overall vision
- Obtain approvals, as required
- Consider partnerships with other municipalities and MAG
- Communicate vision statement to staff and public through identified channels
- Update procedures and processes to align with strategic vision
- This recommendation will require staff time and effort for successful execution.

Action:

- HCS Staff will work on a Strategic Vision Statement throughout 2024

KPMG Recommendation #1.4: Review Burlington's Chargeback Costs

Benefit:

- Realigns chargeback costs with the City of Burlington's actual costs

Implementation: 4 to 6 months

- The City of Burlington should perform an assessment of the chargeback cost model
- If changes are required, develop a new and consistent method for charging out costs to HCS
- Enter into service level agreement with HCS

Action:

- Chief Financial Officer for COB, has agreed to take this to the Area Treasurers

KPMG Recommendation #1.5: Increased MAG Advocacy

Benefit:

- Educate MAG on the current limitations and impact on processes of the request form and allowing trials to be requested online
- Increases the likelihood of MAG considering and actioning plans to update ICON

Implementation: +12 months

- Collaborate with comparators to conduct an assessment documenting ICON's current limitation and required improvement areas
- Draft a letter outlining the key benefits of an upgraded system
- Continuously communicate these benefits to MAG through meetings, conferences, and written communication

Action:

- Staff will undertake collaboration with comparators and compile key benefits to prepare a letter to the Ministry.

KPMG Recommendation #2.1: Adjust Office Layout

Benefit:

- Improves customer service by better-equipping staff to provide quick and timely information to customers
- Optimizes space and facilitates efficient process flows

Implementation: +12 months

- Assess the optimal design for the office layout
- Obtain financial estimates and necessary approvals
- In collaboration with HR and senior management, make changes to the office structure

Action:

- Although staff agree with the recommendation, staff are not seeking to move forward with an adjustment in the office layout at this time, as the cost of the implementation would not balance to the efficiencies gained.

KPMG Recommendation #2.2: Customer service metrics and Communication

Benefit 2.2.1:

- Measures progress and identifies areas of strength and weakness
- Ability to benchmark performance against the historical data, industry standards (comparators), and legislative deadlines

Implementation: 4 to 6 months

- Identify key KPI's and establish a data collection plan
- Establish a process to monitor and report KPI's on a regular basis
- Train personnel in KPI monitoring, reporting and analyzing

Action:

- Staff will work to define KPI's and establish a data collection plan.

Benefit: 2.2.2

- Reduces reliance on staff to manually address public inquiries
- Increases inclusivity and reaches a wider audience

Implementation: 7 to 12 months

- Develop processes to review and update the City's website
- Update website with relevant information

- Coordinate with the IT department for website updates

Action:

- Staff will evaluate data from the KPI's to determine where additional information may be required on the HCS website. It is noted that at the time of the website upgrade in 2022 it was determined to simplify the data contained on the website to ensure accurate information is being provided, it should be further noted that the Ministry website itself is now a more simplified version as well.

KPMG Recommendation #2.3: Implement Process Improvements

Benefit:

- Reduced manual efforts and paper usage
- Elimination of waste in the process
- Culture of continuous improvement
- Foster collaboration and communication among different departments

Implementation: 7 to 12 months

- Identify key processes to be reviewed
- Encourage teams to identify and implement small, incremental improvements on an ongoing basis
- Conduct process mapping workshops to identify waste, duplicated and manual efforts
- This recommendation will require staff time and effort for successful execution.

Action:

- Staff will continue to evaluate processes to find improvements and efficiencies as outlined.

2.3.

1. Elimination of interpreter pink sheets – process is under review
2. Implement excel-based interpreter attendance process – process is under review
3. Implement an electronic interpreter invoice process – process is under review
4. Implement electronic filing of red-light camera certificates – process is in testing phase
5. Collaborate with HRPS to adopt electronic filing – process is in testing phase
6. Save the trial book in a cloud location – meetings with IT have commenced
7. Collaborate with HRPS to input officer schedules into ICON – preliminary discussions have started with HRPS and will continue, however initial concerns are that the time commitment may outweigh resources
8. Streamlining the review of failure to respond dockets – a pilot project is being considered and discussed to streamline the process
9. Acquire and utilize barcode scanners to view tickets in ICON – scanners will be implemented by end of 2023 – staff appreciate the benefits and efficiencies brought by implementing scanners
10. Encourage JP's to perform virtual docket reviews – discussions with the LAJP have been scheduled
11. Update Collection's Assignments on CAMs – a significant CAMs update is pending a review will be done once the update is implemented if this is a feasible ask

12. Forward Nimble emails/reports to Administration Supervisor – change in process has been implemented

9. EMERGING ISSUES

1. Justice of the Peace shortages

The shortage in judicial resources is anticipated to be ongoing throughout 2024. The most recent posting for justice of the peace applications did not include positions in Halton. The letter signed by Mayors in 2023 was sent to the Attorney General seeking appointments for Halton, the response however indicated that the Chief Justice of the Ontario Court of Justice and the Justice of the Peace Appointments Advisory Committee have the responsibility for appointing the Justice of the Peace. Burlington Mayor Ward further advocated for judicial resource in a meeting with the Attorney General in August of 2023.

2. Backlog

There are currently approximately 19,000 Part I charges that require court dates. HCS Administration continues to collaborate with HCS Prosecution to make every effort to have matters scheduled in a timely fashion. These efforts include scheduling Early Resolution meetings outside of court sitting days which allow meetings to take place with prosecution and only those that require a justice of the peace for either plea resolution or trial to be scheduled into court sittings, thereby maximizing the limited court sittings allotted to HCS.

3. Bill 177 Implementation - Reopening's

Bill 177, the Stronger, Fairer Ontario Act (Budget Measures), 2017, and Bill 46, the Less Red Tape, Stronger Ontario Act, 2023, introduced amendments to the Provincial Offences Act (POA) aimed at modernizing and streamlining POA court processes.

Effective September 22, 2023, clerks of the court will have the authority to grant, but not deny, applications to strike a conviction, if satisfied that the defendant, through no fault of their own, was unable to attend a meeting with a prosecutor, unable to appear for a hearing or did not receive delivery of a notice or document relating to the offence. If the clerk is not able to grant the application to strike the conviction, the clerk must forward the application to a justice of the peace who will make the determination whether to grant or deny the request for a reopening. In transitioning the process from the justice of the peace to the clerk of the court s.11(7) provides for a transition provision for the new clerk responsibilities. All applications to reopen a conviction, including those applications filed before September 22, 2023, are to be considered by the clerk of the court. These amendments to the reopening process will improve the customer experience and allow for quicker access to justice.

4. Transfer of Part III POA Prosecutions to Municipalities - Update

As reported previously, the Municipal Partners were advised by Ministry of the Attorney General (MAG) in August 2017 that the province intends to transfer the responsibility for prosecution of Part III POA matters to municipalities.

Since last reporting on the topic, the Crown's office has provided the template Interim Transfer Agreement which contemplates the transfer of prosecution of the Part III POA Prosecutions to the partners. The key terms of the agreement are as follows:

- The agreement contemplates transfer of Part III and IX of provincial offences now prosecuted by the Criminal Law Division of the Ministry of the Attorney General to the municipal partners subject to some exemptions (e.g. matters against Young Persons as defined in POA, matters where criminal proceedings were commenced with same circumstances, proceedings involving sex offender registry);
- The agreement has a limited 2-year term;
- The Attorney General maintains right to intervene in prosecutions transferred in the agreement;
- The municipal partners are asked to agree to a number of covenants including:
 - That they provide timely disclosure to defendants;
 - That they make efforts to advise family members and other interested parties of significant developments in proceedings that involve fatalities;
 - Screen all private prosecutions for reasonable prospect of convictions;
 - Maintain reporting protocol with Crown Attorney and Attorney General respecting matters that appears likely to raise substantive legal issues at trial or appeal; and,
 - As required, provide the Attorney General workspace and courtroom technology.
- Municipal Partners are asked to indemnify and hold harmless the Crown and members of Executive Council of Ontario, from losses and proceedings arising out of performance of duties under the agreement or in connection with the agreement and to maintain insurance required under the agreement;
- Attorney General may terminate the agreement for cause or, without cause, on 90 day notice.

The agreement does not contemplate any form of financial reimbursement by the Province to the municipal partners on account of the costs associated with taking on the transfer of these prosecutions. There is no anticipation of any revenue to be generated by the program given that the municipalities already receive the revenue from Part III prosecutions. The communication from the Crown made it clear that the Province sees this template as final with no room to make any amendments or side agreements. Its effectively a 'take it or leave it' scenario.

At this time, it appears that the acceptance of the transfer and execution of this agreement remains voluntary. We have sought clarification from the Crown of what consequences, if any, would follow in the event the partners chose not to voluntarily accept the transfer. We specifically inquired whether the transfer would occur (possibly on short notice) in the event it is not taken on within mutually negotiated timelines. We have not received a reply despite multiple follow ups.

If the Municipal Partners chose to accept the transfer despite the recommendation to reject it, the date of the transfer being proposed is July 1, 2024. If transfer is mandated by the province, there may be no room to negotiate the date of acceptance, as it may occur on short notice.

Given the cost to the transfer to the municipal partners and no corresponding increase in revenues, at this time the Municipal Partners do not recommend that Halton Court Services agree to voluntarily assume Part III prosecutions. The following is the review of budgetary

staffing and resource needs in the event that the partners decide to accept the Part III transfer OR the transfer is mandated by the province.

Impact on Prosecution Resource Needs in the event of the Transfer

Prosecutor Position:

2021 Business Plan and Budget contemplated increase in staff complement of additional one full-time Prosecutor to absorb the additional work that was anticipated as a result of the transfer of Part III POA Prosecutions. Given the delay in the transfer, the Prosecutor position has not yet been filled. The required funding to fill this position remains in the 2024 Budget assuming a transfer date of no earlier than July 1, 2024.

If the transfer of Part III POA prosecutions is accepted by the municipal partners, the recruitment for this full-time role will commence early next year to ensure continuity of operations.

If the transfer is not accepted by the municipal partners, the province may still mandate it, on possibly short notice to Halton Court Services. If that occurs, the recruitment of the additional Prosecutor and the Case Administrator discussed below will occur without further notice to the partners in order to ensure continuity of operations.

If the transfer is not accepted and not mandated by the province, the recruitment will be put on hold until further notice.

Case Administrator Position:

The transfer of Part III POA Prosecutions will see an expansion of prosecution services that will have an impact on other staff resources. As a result, Municipal Partners are seeking approval to recruit one additional Case Administrator, in addition to the Prosecutor position that was approved in the 2021 budget, but not yet recruited. The recruitment of the Case Administrator would coincide with the proposed transfer date. As a result, those positions will only be filled in the event of transfer of Part III prosecutions to the municipalities. The budget impact will vary depending on when transfer occurs.

Rationale for the staffing increase:

The Prosecution Unit currently operates with a staff complement of five full time Prosecutors. With the transfer of Part III prosecutions, the Unit will see an immediate increased demand for prosecution resources.

It is expected that approximately **3,600** Part III charges will be filed and prosecuted annually in addition to the matters already in the system, with slight increases year over year as this has been the recent trend. As of the end of 2023 all OPP vehicles will be equipped with Automatic License Plate Readers (ALPR) devices. The OPP anticipate an increase in charges related to plate offences and drive under suspension offences in the coming years as the reader will find them more frequently than an officer on regular patrol.

Court attendances for prosecutors have already increased due to increased docket loading to help with the pandemic backlog. They will increase again to at least three additional days per week according to the existing court schedule for Part III matters.

There will also be a corresponding increase in the need for preparation time, as Part III first appearance lists are much larger than the average docket and each file must be reviewed prior to first appearance to ensure disclosure is ready and that a position with respect to the charge is taken including the determination as to whether jail time will be sought.

In addition, once training is completed it is anticipated that careless driving cause bodily harm and careless driving cause death cases will be transferred to the prosecution staff of HCS. Often these matters of more significance require more prosecution time as there is additional technical data, and involvement with victims and witnesses.

When transfer occurs, time will be required to be set aside for Crown pre-trial dates and Judicial pre-trial dates. These two processes require the prosecutor to have time to review the files and prepare for the meetings.

The Prosecution Unit currently operates with two full time Case Administrators. The Unit will see an increased need for case administrator support upon transfer of the Part III prosecutions to HCS. The 2021 Budget and Business Plan approved the conversion of one part-time Case Administrator to one full-time position to manage the transfer. That full position was filled last year with the retirement of a Case Administrator. It has now become clear that an additional Case Administrator position will be required should the transfer be accepted or mandated due to both transfer related pressures as well as technology developments which increase Case Administrator resource needs. The conversation of the case administrator position in 2023 budget allowed the prosecution unit to keep up with service demands. In 2022 in order to address the backlog in the court system due to the pandemic, it was agreed that the number of matters scheduled on trial and early resolution dockets would be increased. The increase in scheduled matters, combined with the removal of a court date to allow better access to disclosure, resulted in a significant increase in work volume for case administrators. This increase in workload led to the conversation of the part time (3 days a week) to a full-time position. When looking at the number of files, as well as other factors such as digital innovation, the proposed half a position previously approved for the transfer is not sufficient to maintain service levels currently being provided and to meet the increased service needs anticipated with the transfer. The increased demand in scheduling of part I matters coupled with the service demands for the transfer of Part III matters can be attributed to the following reasons:

- Disclosure processed annually will increase significantly as a result of the transfer of approximately 3,600 Part III charges annually. **This will represent over a 100% increase in the number of disclosure requests processed compared to 2022.**
- The number of other administrative responsibilities such as, loading documents into CAMS, summons preparation, and enquiries by the public and staff will all correspondingly increase with respect to these additional Part III charges.
- In 2022 Halton Regional Police commenced enforcement with dash cameras which resulted in two responses to each Part I disclosure request as the video footage must be sent separate from the notes portion of disclosure due to file size.
- In 2023 the OPP installed and commenced using dash camera and body worn cameras. This will result in an increase of disclosure responses required for each Part 1 offence in 2024 when those matters are scheduled for early resolution or trial.

- While disclosure obligations for part I matters are triggered upon request of the defendant, Part III matters require disclosure be provided at their first appearance meaning that all matters must be provided disclosure whether or not a request is made.
- First appearance is often a few weeks after the summons was issued on the roadside. This period allows for information's to be sworn and for the Prosecutions office to be made aware of the charges. There is very little time to prepare the disclosure. This includes tracking down any video that may be available for the offence so that it can be provided in a timely manner. Having disclosure ready at first appearance not only fulfills our obligation to provide it to the defendant, but it will also result in fewer adjournments and allow for matters to resolve at a quicker pace or be set for trial well within the time limits set out by caselaw; Rv. Jordan.
- It is anticipated that the Case Administrator will also be used to assist with early resolution to alleviate some of the time pressures the prosecutors will have to address when Part III matters are transferred.

In the event of the transfer, either voluntary or mandated by the province, the Municipal Partners are recommending the addition of a Case Administrator.

Benefits of the transfer of Part III Prosecutions

- Efficiencies related to having greater control over how POA matters are scheduled and tailored to the needs of the local community
- Utilization efficiencies of blended Part I and Part III court schedules with one prosecution service deployed that will make more efficient use of court and prosecutor capacity
- Benefits of blended Part I and III court schedules, streamlined police court dates and associated savings to police services budgets
- Improvements to the overall efficiency of POA prosecutions and related case management and administrative functions
- Current hourly rate of \$109 charged by the province will be eliminated at the time of transfer (the total amount for 2022 was \$35k)
- The transfer streamlines complicated court processes in the community – one window prosecution service for public, police and justice stakeholders versus confusing split between municipal and provincial responsibility
- The ability to prepare and control when and how the transfer is rolled out. Provides time for Prosecutors to shadow Crown Attorney's on careless cause death and careless cause bodily harm cases to be prepared to serve the community

Jurisdictions who have taken the transfer and their staffing

Hamilton is an abutting jurisdiction with population and service area similar to the area serviced by HCS. Hamilton is in the process of accepting transfer of Part 3 charges without an increase in staffing as they currently have a staffing complement of 8 Prosecutors and 3 Prosecution Assistants for a total of 11 staff members.

The City of Brampton prosecutors' office with a charge volume 30% higher than HCS in 2022 has a total of 13 staff. Brampton has 8 full time Prosecutors, 4 full time Prosecution Coordinators (PC) who assist with early resolution and a one-year contract PC.

The charge volume in Durham Region is 53% higher than HCS charge volume with a total of 15 staff members. 8 full time prosecutors, an additional prosecutor on a 1-year contract and 7 Prosecution Assistants. In 2024 Durham plans to hire additional 2 Prosecution Assistants and convert 1 prosecutor contract position to full time to address their staffing needs. To provide effective service levels in 2023 Durham chose to pay current staff overtime to compensate for the increased demands on workload.

The City of Mississauga with a charge volume similar to the City of Brampton has 7 full time Prosecutors and 3 Full-time Assistants. To address increased demands on administrative services, the prosecutions office revived a part-time filing clerk position and is obtaining assistance from a law clerk from legal services department a couple days a week. There is an anticipated increase to 4 full time administrative staff in the next month, as a posting for a position closed recently.

For the transfer of Part 3 charges to be successful and for Halton Court Services to be able to provide the necessary service levels, one additional full time case administrator is required, in addition to the Prosecutor position that was already approved in the 2021 budget. This increase in resources would make the staffing complement in Halton Court Services at 6 prosecutors and 3 case administrators for a total of 9 staff members. This is consistent with the staffing resources in surrounding jurisdictions based on charge volume.

The Anticipated Cost of the transfer of Part III Prosecutions:

As set out above, it is anticipated that the transfer of Part III prosecutions will require the recruitment of a Prosecutor and a Case Administrator. The annual cost of the impact of the transfer is as follows (now pro-rated in the budget to July 1, 2024):

Prosecutor salary including benefits	107,720.02
Case Administrator salary including benefits:	\$79,894.86
Related resource and Equipment costs	\$6230
TOTAL	193,844.88

The assumption of the transfer will carry with it some savings. In 2022, approximately \$35,000 was paid to the province to cover the cost of the time in which the Part III prosecutor was actively in court. The cost paid to the province does not reflect time spent preparing for court, additional administrative support or the costs associated to the articling student that assist the prosecutor, which cost was assumed by the province.

The net cost of annual cost associated with the transfer of the Part III to the Municipal Partners (\$193,844.88-\$35,000.00) is **\$158,844.88** with no corresponding increase to revenue.

Recommendation #4: Reject the transfer of Part III offences to Halton Court Services at this time.

Recommendation #5: That subject to a mandated transfer of Part III prosecution, Halton Court Services be delegated the authority to hire one additional full time Case Administrator and one Full Time Prosecutor, with any required 2024 funding provided from the net revenues before distributions (via an in-year variance) and future years via the annual budget process.

APPENDIX A – 2024 OVERALL BUDGET

HALTON COURT SERVICES

2024 OVERALL POA BUDGET

9-Nov-23

OVERALL 2023 BUDGET	Projection to Dec 31/23	Expenditures	Cost Element	ADMINISTRATION		PROSECUTION	TOTAL	2024 vs 2023
				Admin/Court Support 461110	Collections 461113	461140		
2,438,652	2,513,403	F/T Salaries	11111	1,486,267	289,806	784,976	2,561,048	
-	8,386	Part-time/Temp	11122	-	-	-	-	
-	(14)	Overtime	11131	-	-	-	-	
-	1,006	Vacation Pay - PT	11248	-	-	-	-	
434,653	429,870	Fringe benefits - FT/PT	11300	259,736	51,292	130,336	441,363	
237,733	239,684	Additional Benefits - FT/PT	11302	150,286	31,076	69,125	250,487	
32,450	23,959	Professional development	11410	12,180	3,450	13,500	29,130	
10,400	8,820	Employee memberships	11412	1,600	300	8,000	9,900	
3,153,900	3,225,115	Total Human Resources		1,910,068	375,924	1,005,937	3,291,929	4.4%
8,944	8,372	Books and subscriptions	22220	1,100	200	7,979	9,279	
1,000	700	Meeting expenses	22223	1,000	-	-	1,000	
19,703	3,688	COVID-related expenses	22226	-	-	-	-	
45,200	64,439	Printing and reproduction	22233	64,180	1,200	1,000	66,380	
16,100	11,955	General office supplies	22242	9,000	800	2,400	12,200	
51,552	50,132	Hydro/Water/Heat	22511	51,707	-	-	51,707	
5,000	5,000	Furniture and office equipment	37102	5,000	-	-	5,000	
122,143	139,286	Comp Software/Hardware/Maintenance	37105	72,826	9,167	18,387	100,380	
1,604,138	1,604,000	Building facility lease	33115	1,606,388	-	-	1,606,388	
25,724	17,487	IT lines	33150	5,868	5,872	5,872	17,612	
11,812	11,349	Equipment rental	33172	8,100	972	2,822	11,894	
4,000	4,065	Bldg repair and maintenance	33210	4,000	-	-	4,000	
13,120	12,305	Equipment maintenance	33240	13,120	-	-	13,120	
45,370	44,580	Courier/Postage services	33250	33,843	11,000	800	45,643	
15,452	13,462	Telephones/Cell Phones	33253	9,992	3,692	2,513	16,197	
-	-	Corporate Communications	33255	-	-	-	-	
1,883	1,303	Travel Exp/Mileage	33320	900	100	883	1,883	
11,000	86,727	External audit	33359	9,000	-	-	9,000	
6,000	2,023	Security/Armoured car services	33366	2,400	-	-	2,400	
100,000	77,497	Interpreters	33367	80,000	-	-	80,000	
376,627	376,628	Cost recoveries	45701	361,773	-	50,313	412,086	
901,000	838,009	Provincial Recoveries	33369	881,500	-	-	881,500	
157,320	132,680	Contract/External services	33450	42,900	87,000	7,240	137,140	
85,730	89,844	Janitorial Services	33467	91,130	-	-	91,130	
2,000	337	Court Related Fees	33510	-	800	-	800	
9,000	5,000	Witness fees	33516	5,000	-	-	5,000	
140,000	155,952	Point of sale-service charges	36194	160,000	-	-	160,000	
(69,000)	(176,116)	Reserve Fund offset for expenses	96306	(20,000)	0	0	(20,000)	
3,710,819	3,580,706	Total Other Expenditures		3,500,726	120,803	100,209	3,721,738	0.3%
6,864,719	6,805,820	TOTAL EXPENDITURES		5,410,794	496,727	1,106,146	7,013,667	2.2%
(15,000)	(2,881)	Parking Fees	90852	0	-	-	0	
(6,300,000)	(6,361,380)	Fines (Gen)	91122	(6,400,000)	-	-	(6,400,000)	
(2,300,000)	(2,351,125)	Fines (Collections)	91122	-	(2,400,000)	-	(2,400,000)	
203,468	135,046	Bylaws Distributed	91124	135,000	0	-	135,000	
(750)	(395)	External recoveries	91410	-	(500)	-	(500)	
(10,400)	(2,019)	Miscellaneous Revenue	91154	(4,400)	0	0	(4,400)	
(10,000)	(12,202)	Transcripts	91207	(10,000)	-	-	(10,000)	
(184,427)	(179,000)	Federal subsidy	92705	(206,427)	0	-	(206,427)	
(8,617,109)	(8,773,955)	TOTAL REVENUE		(6,485,827)	(2,400,500)	0	(8,886,327)	3.1%
(1,752,390)	(1,968,135)	Net Operating Budget before Reserve Fund		(1,075,033)	(1,903,773)	1,106,146	(1,872,660)	6.9%
50,000	50,000	Contribution to Reserve Fund	45100	50,000	-	-	50,000	
-	-	Contribution to Stabilization Fund	45100	0	-	-	0	
(1,702,390)	(1,918,135)	NET OPERATING BUDGET		(1,025,033)	(1,903,773)	1,106,146	(1,822,660)	7.1%

2024 Requisitions
(Partnership Sharing based on 2023 weighted average assessment)

Region	(911,330)
Burlington	(277,044)
Halton Hills	(82,749)
Milton	(158,845)
Oakville	(392,783)
Total	(1,822,752)



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: CORS-008-24

Subject: Annual Development Charge Indexing

Recommendation: THAT the indexing of the Town's development charges be received for information.

EXECUTIVE SUMMARY

- The Town's Development Charge By-laws allow for the indexing of development charges annually on April 1st without requiring an amendment to the By-law.
- Annual indexing of development charges ensures the proceeds from development charges maintain pace with the infrastructure construction costs required to support growth in the Town.
- Indexing at a rate of 5.5% is applicable to residential and non-residential development charge rates in 2024.
- Clauses within various financial agreements also provide for indexing in accordance with the Development Charges By-law as described further in this report.

REPORT

Background

In 2021, Council passed By-law No. 045-2021 (the "Development Charges By-law"), being a by-law of the Corporation of the Town of Milton for the imposition of development charges. The Development Charges By-law includes a provision to adjust the development charge rates on April 1st of each year. The indexing is based on the Statistics Canada Quarterly, Building Construction Price Indexes ("BCPI") related to non-residential building construction (Table 18-10-0276-01) as prescribed by O. Reg. 82/98, as amended for the Toronto, Ontario metropolitan area. The indexing provisions of the legislation and the Town's DC By-laws are intended to ensure proceeds from development charges retain the same purchasing power to support capital investment throughout the term of the DC By-law.



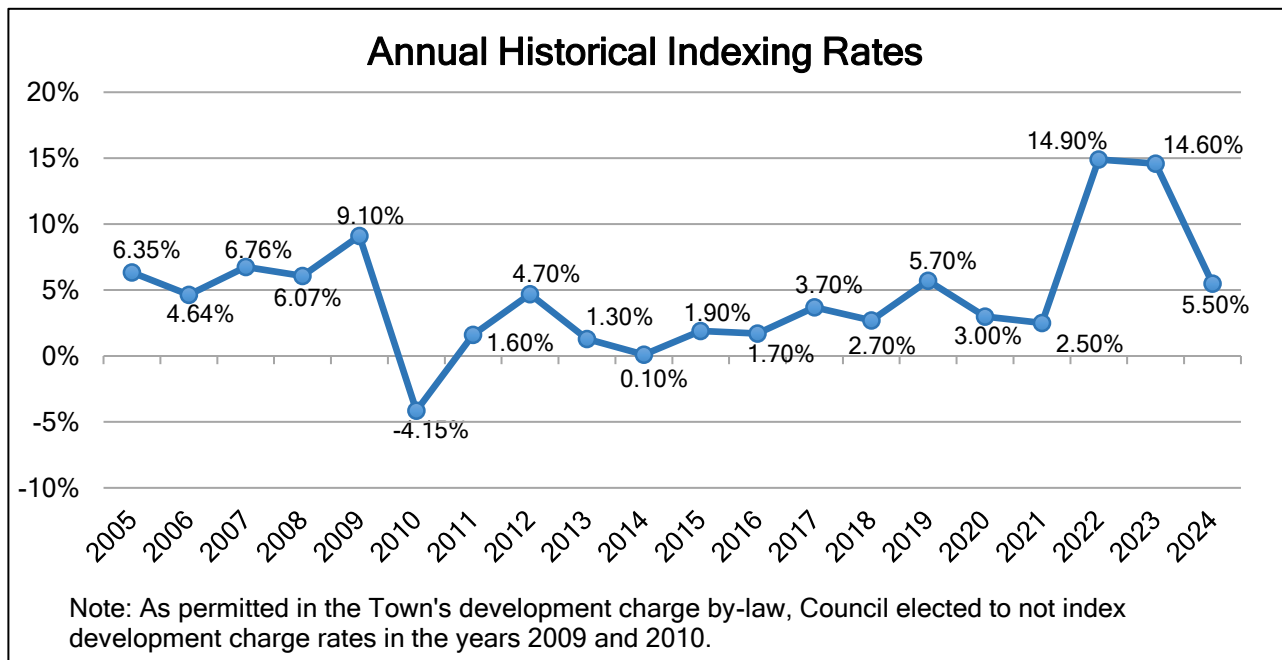
Discussion

The BCPI is a quarterly series that measures change over time in the prices that contractors charge to construct a range of new commercial, industrial and institutional buildings. The contractors' prices reflect the value of all materials, labour, equipment, overhead and profit to construct a new building and excludes value added taxes and any costs for land, land assembly, building design, land development and real estate fees.

The indexing factor is derived by calculating the percentage change between the fourth quarter of 2023 and the fourth quarter of 2022. For the period of January 1 to December 31, 2023, the percentage change in BCPI for non-residential construction in the Toronto area is an increase of 5.5%.

Non-residential construction cost growth was driven by the rising cost of materials, labour shortages and the effects of high interest rates. Labour shortages continue to impact the construction industry by driving wages and competition, further increasing construction costs.

To put the 5.5% increase in context relative to historical changes in the BCPI, the following graph summarizes historical movement in the index. As illustrated in the graph, a 20-year high in construction cost increases was experienced in 2021, followed by a similar double digit increase in 2022. Construction cost increases for 2023 have slowed significantly from the last two years to more historically average levels. A municipal scan across the Region of Halton municipalities confirms the other municipalities are proceeding with similar indexing in accordance with the legislation and their respective By-laws.





Discussion

The following tables summarize the changes in the Town’s residential and non-residential development charge rates. In accordance with the timing of the development charge payments as outlined in the Town’s Development Charges By-law, the indexed rates will be imposed on any unissued building permit, unregistered plan of subdivision or site plan not granted site plan approval as at close of business preceding March 31, 2024; for all applications not subject to the DC rate freeze legislative requirements enacted through Bill 108: More Homes, More Choice Act, 2019.

Residential Town of Milton Development Charges*

Table with 4 columns: Rates by Dwelling Type, Indexed Rate, Current Rate, Increase. Rows include Single/Semi-Detached, Multiples, Apartments (2 or more bedrooms), Apartments (1 bedroom or less), and Special Care/Special Needs.

Non-Residential Town of Milton Development Charges*

Table with 4 columns: Non-Residential Rates by Use, Indexed Rate, Current Rate, Increase. Rows include Retail per square metre, Retail per square foot, Non-Retail per square metre, and Non-Retail per square foot.

* All rates noted above exclude the area specific charges for stormwater monitoring in the various secondary plan areas. Please refer to attachment for the full details of the indexed rates.

The Town has also entered into financial agreements with residential developers. Clauses within those agreements outline the collection of the capital provision payment, the overcontribution payment, and the parkland capital provision payment from the developers. These financial contributions are indexed in accordance with the indexing provisions of the Development Charges By-law.

The Cash Flow Assistance Amending Agreement (Amending Agreement) was executed during 2022 with an effective date of March 31st, 2022. As per the terms of the Amending Agreement, the cash flow assistance letters of credit were reduced by 50% in 2023. Upon review of the Town’s Roads Development Charges cash flow position, the full value of the



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.



**Town of Milton
Development Charge Rates
Effective April 01, 2024**

Residential Rates	Single and Semi Detached	Multiple 3 or more Bedrooms	Multiple Less than 3 Bedrooms	Apartments 2 or more Bedrooms	Apartments Bachelor and 1 Bedroom	Special Care/ Special Need Dwelling
Town of Milton						
Services Related to a Highway	\$ 9,008	\$ 6,774	\$ 6,774	\$ 4,157	\$ 3,065	\$ 2,604
Other Town-wide Services	20,005	15,045	15,045	9,233	6,807	5,785
Stormwater Management - Sherwood *	233	175	175	109	78	68
Stormwater Management - Boyne *	83	63	63	39	27	24
Stormwater Management - Derry Green *	-	-	-	-	-	-
Stormwater Management - Trafalgar *	204	152	152	93	69	58
Stormwater Management - Agerton *	136	102	102	63	46	39
Stormwater Management - Britannia *	121	91	91	56	41	35
Stormwater Management - MEV *	361	271	271	167	122	104
Stormwater Management - MEV Supplemental Lands *	-	-	-	-	-	-
Total Town - Municipal Wide Services	29,013	21,819	21,819	13,390	9,872	8,389
Total Town - Sherwood	29,246	21,994	21,994	13,499	9,950	8,457
Total Town - Boyne	29,096	21,882	21,882	13,429	9,899	8,413
Total Town - Derry Green	29,013	21,819	21,819	13,390	9,872	8,389
Total Town - Trafalgar	29,217	21,971	21,971	13,483	9,941	8,447
Total Town - Agerton	29,149	21,921	21,921	13,453	9,918	8,428
Total Town - Britannia	29,134	21,910	21,910	13,446	9,913	8,424
Total Town - MEV	29,374	22,090	22,090	13,557	9,994	8,493
Total Town - MEV Supplemental Lands	29,013	21,819	21,819	13,390	9,872	8,389

Non-Residential Rates	Retail uses per square metre of development	Non-Retail uses per square metre of development	Retail uses per square foot of development	Non-Retail uses per square foot of development
Town of Milton				
Town-wide Services	\$ 114.85	\$ 65.05	\$ 10.66	\$ 6.05
Stormwater Management - Sherwood *	6.44	3.73	0.60	0.35
Stormwater Management - Boyne *	1.34	0.91	0.12	0.08
Stormwater Management - Derry Green *	2.54	1.04	0.24	0.10
Stormwater Management - Trafalgar *	2.99	1.79	0.28	0.17
Stormwater Management - Agerton *	2.54	1.79	0.24	0.17
Stormwater Management - Britannia *	1.79	1.04	0.17	0.10
Stormwater Management - MEV *	5.84	3.73	0.54	0.35
Stormwater Management - MEV Supplemental Lands *	5.53	3.73	0.51	0.35
Total Town - Municipal Wide Services (T.F.A.)	114.85	65.05	10.66	6.05
Total Town - Sherwood (T.F.A.)	121.29	68.78	11.26	6.40
Total Town - Boyne (T.F.A.)	116.19	65.96	10.78	6.13
Total Town - Derry Green (T.F.A.)	117.39	66.09	10.90	6.15
Total Town - Trafalgar (T.F.A.)	117.84	66.84	10.94	6.22
Total Town - Agerton (T.F.A.)	117.39	66.84	10.90	6.22
Total Town - Britannia (T.F.A.)	116.64	66.09	10.83	6.15
Total Town - MEV (T.F.A.)	120.69	68.78	11.20	6.40
Total Town - MEV Supplemental Lands (T.F.A.)	120.38	68.78	11.17	6.40



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-020-24

Subject: Recommendation Report - Notice of Intention to Designate - 93 Victoria Street - David Watson Campbell House

Recommendation: THAT Staff Report DS-020-24 entitled "Notice of Intention to Designate - 93 Victoria Street - David Watson Campbell House be received and;

THAT Milton Council recognizes the historic house at 93 Victoria Street in the Town of Milton as being of heritage significance;

THAT Milton Council designate the property under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. O.18 for the reasons outlined in the Reasons for Designation attached as Appendix 1 to this Report;

AND THAT the Town Clerk provides the Notice of Intention to Designate as outlined in Section 29 (4) of the Ontario Heritage Act;

AND FURTHER THAT once the thirty-day objection period has expired and if there are no objections, a designation by-law is brought forward for Council adoption.

EXECUTIVE SUMMARY

- The David Watson Campbell house, at 93 Victoria Street in the Town of Milton, is a unique two-storey Victorian-era single detached white clapboard house built around 1877. The property received a Milton Heritage Award in 2008 for restoring the front porch.
- The property's current owner has voluntarily responded to the heritage designation program and desires that their property be designated.

- Staff has evaluated this historic home as a significant built heritage resource for the Town of Milton and should be designated under Part IV of the Ontario Heritage Act. (See Appendix '1')
- This significant heritage resource fulfils more than two of the evaluation criteria set out in Part IV of the Ontario Heritage Act (R.S.O. 1990), Ontario Regulation 9/06 (See Appendix 2). As such, it is worthy of designation under the provisions of the Ontario Heritage Act.

REPORT

Background

The house at 93 Victoria Street is a two-storey Victorian-Era residence built in 1877 for David Watson Campbell and his wife, Louise White. It is a white clapboard home with green painted aspects, which highlight the house's architectural features.

The land was first granted to George Brown from John Martin in 1855. George sold the property to William Laidlaw in 1872, who later sold it to David Watson Campbell, and his wife Louise in 1874. David Watson Campbell served as Milton's Councillor, Reeve and Mayor in 1880. The property remained with the Campbell family until 1951. The current owner, Ivan and Judy Hunter, bought the property in 1971. Its cultural heritage value and interest lies in its physical, historical and contextual value.

Discussion

This house is a beautiful example of a Victorian-era residence with some influence of the Italianate style. The front porch was restored in 2007 and received the Milton Heritage Award in 2008.

Historically, this residence was built in 1877 for David Watson Campbell and his wife, Louise. He came to Milton about 1866 and worked as a law clerk of Wm. Laidlaw Q.C. When William moved his office to Hamilton several years later, David Watson Campbell opened an office as a conveyancer. David married Louise White, daughter of John White, M.P. He was active in Milton's affairs, serving as Councillor (1878, 1891-1895), Reeve (1881) and Mayor (1880). He was appointed treasurer of Halton County in 1881 and served until his death. In 1882, he joined William Panton Jr. in a partnership publishing the Canadian Champion until his death in 1896. Mr. Campbell died at home in 1896. Dr. Howitt of Guelph, with local doctors Peter Stuart, David Robertson and R.K. Anderson in attendance, operated on him for appendicitis on April 1. It was one of the earlier operations of that type. He died the day following and was buried in Evergreen Cemetery in the White family plot.

Physically, this house is a unique example of a Victorian-Era clapboard house with Italianate influence. Its asymmetric composition is capped with a mansard roof, an octagonal turret on the west elevation and an off-center hip roof on the front. Fancy roof brackets and trims are incorporated into the wide eaves surrounding the mansard roof. The four-panel single-leaf entrance door has two of its upper panels glazed. It is surrounded by triangular pediment trims on the exterior. The windows have decorated triangular pediment, louvered shutters and wooden lug sills. The interior of the building boasts ornate ceilings, an arch corbel, wide baseboard and a hardwood floor. However, the interior elements will not be the subject of this heritage designation.

Contextually, this property has contextual value as one of the earliest houses built in John Martin Survey (Part of Lot 11, Plan No.17) in 1855. This was one of the very early subdivisions in Milton that was created even before Milton was incorporated as a Town in 1857. The Martin Survey included houses North of Mill Street, East of Bronte Street North, west of Martin Street and south of Mill Pond. This house helps define, maintain, and support the heritage character of this neighbourhood.

Key attributes that reflect the cultural heritage value of the property include:

- Massing of the two-storey Victorian-era clapboard house with asymmetrical composition and three stone chimneys
- Unique Mansard roof with an octagonal turret.
- Wide overhanging eaves with decorated roof brackets and trims
- Octagonal Turret on west elevation with decorated Roof Brackets, Bay Windows, and Louvered Shutters
- Wrap around front porch with decorative columns and plain balustrade
- Four panels front door with two upper glazed inserts and fancy pediment trims
- Two over two windows with triangular pediment, louvered shutters and wooden lug sills
- Historical value as the home of David Watson Campbell, past Councilor, Reeve and Mayor of Milton in 1880.
- Contextual value as one of the earliest houses built in the John Martin Survey (Part Lot 11, Plan No.17) in 1855.

Staff Recommendation

Staff recommends that the optimal conservation and protection measures for this heritage property is the designation of the property.

Financial Impact

There is no financial impact associated with this report.

Respectfully submitted,



Jill Hogan
Commissioner, Development Services

For questions, please contact: Anthony Wong, Senior Policy Planner Ext. 2565

Attachments

- Appendix '1'_Reasons for Designation for 93 Victoria Street_ David Watson Campbell House
- Appendix '2'_CHVI Evaluation_ 93 Victoria Street
- Appendix '3'_Photographic Record Heritage Attributes_ 93 Victoria Street

CAO Approval
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 HuronWendat 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.

Reasons for Designation

93 Victoria Street_ David Watson Campbell House



Legal Description

John Martin Survey Part Lot 11, Plan 17

Description of Property

The David Watson Campbell house, at 93 Victoria Street in the Town of Milton, is a unique two-storey Victorian-Era single detached white clapboard house built around 1877. The property received a Heritage award in 2008 for restoring the front porch.

Statement of Cultural Value and Interest

93 Victoria Street is a two-storey Victorian-era residence built in 1877 for David Watson Campbell and his wife, Louise White. It is a white clapboard home with green painted aspects, which highlight the house's architectural features.

The land was first granted to George Brown from John Martin in 1855. George sold the property to William Laidlaw in 1872, who later sold it to David Watson Campbell and his wife Louise in 1874. The property remained with the Campbell family until 1951. The current owner, Ivan and Judy Hunter, bought the property in 1971. Its cultural heritage value lies in its physical, historical and contextual value. Physically, it is an excellent example of a Victorian-era clapboard house with Italianate influence. Historically, it is the house of David Watson Campbell, who served as Milton's Councillor, Reeve and Mayor in 1880. Contextually, this property is one of the earliest houses built in the John Martin Survey Plan 17 for this significant part of Old Milton.

Historical Value

This residence was built in 1877 for David Watson Campbell and his wife, Louise. He came to Milton about 1866 and worked as a law clerk of Wm. Laidlaw Q.C. When William moved his office to Hamilton several years later, D.W. opened an office as a conveyancer. D.W. married Louise White, daughter of John White, M.P. He was active in Milton's affairs, serving as Councilor(1878, 1891-1895), Reeve(1881)and Mayor (1880). He was appointed treasurer of Halton County in 1881 and served until his death. In 1882. he joined William Panton Jr. in a partnership publishing the Canadian Champion until his death of in 1896. Mr. Campbell died at home in dramatic circumstances. Dr. Howitt of Guelph, with local doctors Peter Stuart, David Robertson and R.K. Anderson in attendance, operated on him for appendicitis on April 1, 1896. It was one of the earlier operations of that type. He died the day following and was buried in Evergreen Cemetery in the White family plot.

Physical or Design Value

This house is a unique example of a Victorian-Era clapboard house with Italianate influence. Its asymmetric composition is capped with a mansard roof, an octagonal turret on the west elevation and an off-center hip roof on the front. Fancy roof brackets and trims are incorporated into the wide eaves surrounding the mansard roof. The four-panel single-leaf entrance door has two of its upper panels glazed. It is surrounded by triangular pediment trims on the exterior. The windows have decorated triangular pediment, louvered shutters and wooden lug sills. The house is well-maintained and has excellent curb appeal along Victoria Street. The interior of the building boasts ornate ceilings, an arch corbel, wide baseboard and a hardwood floor. However, the interior elements will not be the subject of this heritage designation.

Contextual Value

This property has contextual value as one of the earliest houses built in John Martin Survey (Part of Lot 11, Plan No.17) in 1855. This was one of the very early subdivisions in Milton that was created even before Milton was incorporated as a Town in 1857. The Martin Survey included houses North of Mill Street, East of Bronte Street North, west of Martin Street and south of Mill Pond. This house helps define, maintain, and support the heritage character of this neighbourhood.

Character Defining Elements/Heritage Attributes

Key attributes that reflect the cultural heritage value of the property include:

- Massing of the two-storey Victorian-era clapboard house with asymmetrical composition and three stone chimneys
- Unique Mansard roof with an octagonal turret.
- Wide overhanging eaves with decorated roof brackets and trims
- Octagonal Turret on west elevation with decorated Roof Brackets, Bay Windows, and Louvered Shutters
- Wrap around front porch with decorative columns and plain balustrade
- Four panels front door with two upper glazed inserts and fancy pediment trims
- Two over two windows with triangular pediment, louvered shutters and wooden lug sills
- Historical value as the home of David Watson Campbell, past Councilor, Reeve and Mayor of Milton in 1880.
- Contextual value as one of the earliest houses built in the John Martin Survey (Part Lot 11, Plan No.17) in 1855.

Cultural Heritage Value or Interest Evaluation

Ontario Regulation 9/06 of the *Ontario Heritage Act* establishes the criteria for determining Cultural Heritage Value of Heritage Resources. A property must have the potential to meet at least two of the criteria to be considered to have heritage significance. These criteria fall into three categories: design or physical value, historical or associative value and contextual value. The following table considers and evaluates the subject property against these criteria.

Table 6: Evaluation of the Cultural Heritage Value of 93 Victoria Street

The property has design value or physical value because it,		
	Criteria	Evaluation
i	is a rare, unique, representative or early example of a style, type, expression, material or construction method	Yes, this house is a unique two-storey Victorian era house with an Italianate influence.
ii	displays a high degree of craftsmanship or artistic merit	This home has unique and distinctive roof brackets and an octagonal turret at the west elevation.
iii	demonstrates a high degree of technical or scientific achievement	No, the property does not demonstrate a high degree of technical or scientific achievement

The property has historical value or associative value because it,		
i	has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,	Historically, it is the house of David Watson Campbell, past Councillor (1878, 1891-1895), Reeve (1881) and Mayor (1880).
ii	Yields or has the potential to yield, information that contributes to an understanding of a community or culture	Yes, it provides historical information on the pioneers of Milton.
iii	demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community	No, the subject property does not demonstrate or reflect that the subject property is associated with any known architect, builder or designer.

The property has contextual value because it,		
i	is important in defining, maintaining or supporting the character of an area	Yes, this property has contextual value as one of the earliest houses built in John Martin Park Survey (Plan No.17) in 1855
ii	is physically, functionally, visually or historically linked to its surroundings	Yes, this property is historically link o to the development of this neighbourhood
iii	is a landmark	No, the property is not a landmark.

Based on the above criteria, the subject property has significant cultural heritage value based on both design and contextual criteria. These attributes are sufficient to warrant Heritage Designation under the *Ontario Heritage Act*. However, designation may not be necessary at this time as the property is current listed on the Municipal Heritage Register, which offers it some protection from demolition.



Appendix 3
Photographic Record _ Heritage Attributes _ 93 Victoria Street

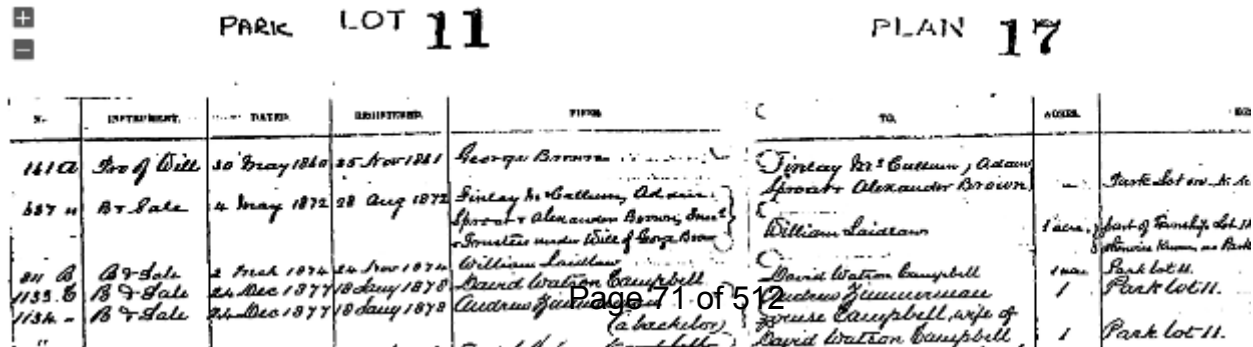


Location Map_ 93 Victoria Street

Historical Books Extract

HALTON COUNTY (20), TRAFALGAR, Park Lot 11, Plan 17

Dated	Registered	From	To	Notes
	June 18 1855	John Martin	George Brown	1 acre
4 May, 1872	28 Aug 1872	George Brown Estate	William Laidlaw	Wm. Laidlaw - farmer, financier
2 March 1874	24 Nov 1874	William Laidlaw	David Watson Campbell	
24 Dec 1877	18 Jan 1878	David Watson Campbell	Andrew Zimmerman (Bachelor)	Andrew Zimmerman – lawyer
24 Dec 1877	Jan 18 1878	Zimmerman	Louise Campbell	Louise Campbell, widower wife of D.W. Campbell
27 Sept 1897	30 Oct 1897	Louise Campbell Widower	William James Dewar	Part only 1/3 acre
2 Sept 1907	3 Oct 1907	Louise Campbell Widower	Mildred J. Hume wife of Thomas D Hume	Part only ¼ Lot
Dec 1937	15 Nov 1938	Campbell Estate	Lillian L. & Charlotte E. Campbell	Spinsters
21 July 1951	24 July 1951	Lillian L. Campbell	John B. and Valerie J. Firstbrook	
6 Aug 1952	18 Aug 1952	Firstbrook	Frances E. McQuat	
22 April 1971	30 Apr 1971	McQuat	Ivan Alexander Hunter and Judy Hunter	



David Watson Campbell Bibliography

MILTON AREA BIOGRAPHIES

C

Campbell, David Watson
Clerk, municipal politician, publisher
1847-1896



David Campbell was born on April 17, 1847 at Westervelt's Corners, Peel County. He was the son of William Campbell (1808- July 5, 1895), blacksmith, who was born at Dumfries, Scotland and came to Canada in 1831, settling in Toronto. William Campbell operated as a blacksmith near the corner of King and Queen Sts. until 1842 when his shop, dwelling and other buildings were burned. He moved to No. 10 Centre Rd., Chinguacousy Twp., just north of Brampton, and opened a blacksmith shop. In 1833 he married Jane Murray who was born 1810 at Hawick, Scotland and died on March 2, 1897.

David Watson Campbell studied at the Galt Collegiate Institute under Dr. Tassie, and entered the law office of Coyne and Laidlaw at Brampton, coming to Milton about 1866. He continued his legal studies in the office of William Laidlaw Q.C. He passed several examinations but did not complete his course, instead opening a conveyancing office here after Mr. Laidlaw moved to Hamilton. Mr. Campbell was appointed Official Assignee for the County and held that position until a change in the Insolvency Act did away with it.

In June 1876 he married Louise White (1850-Feb. 4, 1920) eldest daughter of John White, M.P. The couple had seven children, four sons and three daughters.

Mr. Campbell was active in the Reform party and a member of the Presbyterian Church. He was Mayor of Milton in 1880 and 1890 and Reeve in 1881 when he had to retire on being appointed County Treasurer on December 9, 1881 and serving until Apr. 2, 1896.

In 1886 the filly "Wild Rose" won the Queen's Plate entered under the name of D.W. Campbell. She carried the scarlet silks of the White family.

With William Panton Jr. as a partner, he published *The Canadian*

Continued over page

Published by Milton Historical Society 1995

Campbell, David Watson

Champion from 1882-1896. He was President of the Halton Agricultural Society in 1884, a member of the St. Clair Masonic Lodge and a Director of the Milton Mechanics' Institute. He was elected to Milton Council for the North Ward 1878, 1891-1895 and elected School Trustee for the North Ward in 1893.

Mr. Campbell died at his residence in Milton on April 2, 1896. The funeral procession was headed by the town band, followed by the members of the County and Town Councils, County Officials and the lodges of the Home Circle, Sons of Scotland, Independent Order of Foresters, Ancient Order of United Workmen, Free Masons and a party of boys from the public school, the latter turning out because of Mr. Campbell's many years as a member of the School Board. He was described as a model businessman, a warm-hearted genial man, who made friends wherever he was known. Burial was in Evergreen Cemetery, Milton.

Research: Alex S. Cooke

Sources: *The Canadian Champion*.

The Milton Reformer.

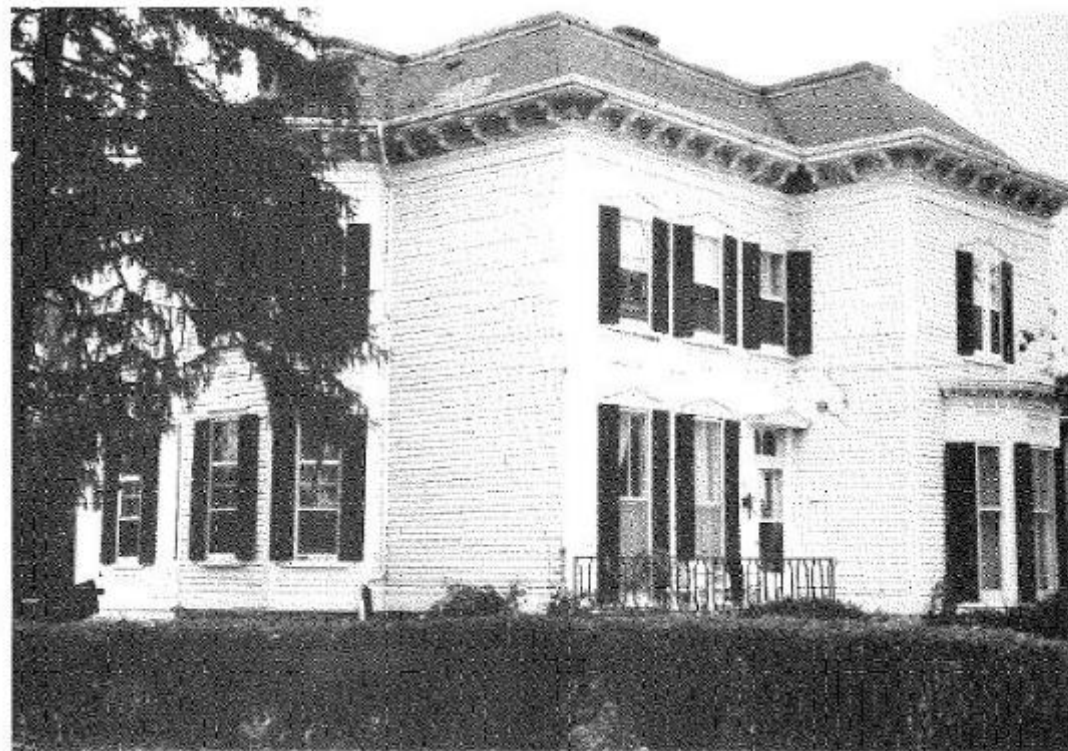
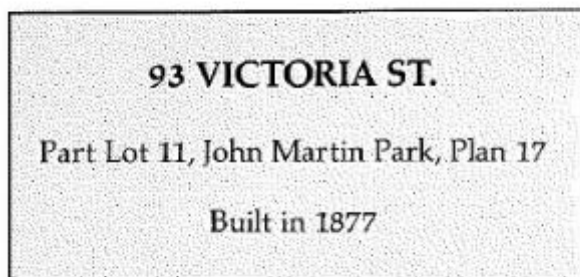
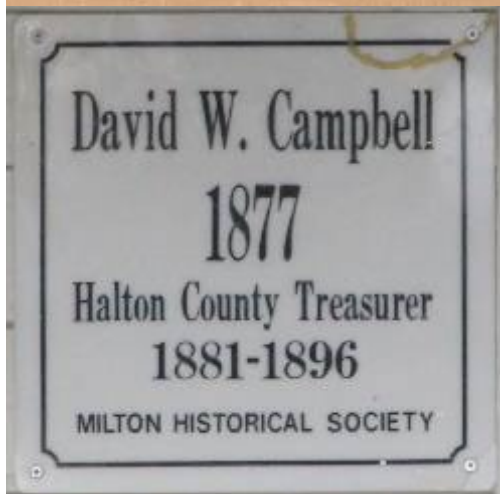
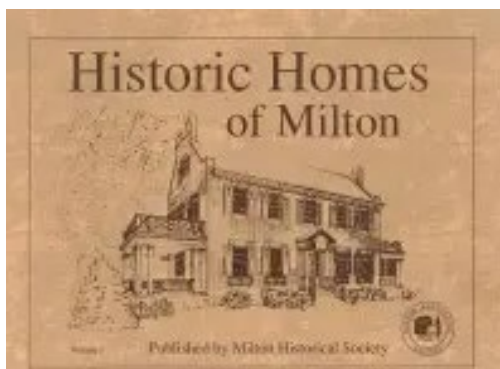
Cemetery Recordings, published by Halton/Peel Branch O.G.S.

Members of the Municipal Council, compiled by Brenda Whitlock for Milton Historical Society.

Jim Dills' Book of Lists, unpublished.

Historical Houses of Milton

Volume 1, Page 64



This residence was built in 1877 for David Watson Campbell and his wife, Louise.

He came to Milton about 1866 and worked as a law clerk in the office of Wm. Laidlaw Q.C. When William Laidlaw moved his office to Hamilton several years later, "D.W." opened an office as a conveyancer.

"D.W." married Louise White, daughter of John White M.P. They raised a family of six children. During this period he was active in Milton's affairs, serving as Councillor, Reeve and Mayor in 1880. He served again as Reeve in 1881.

He was appointed treasurer of Halton County in 1881 and served until his death

In 1882 he joined William Panton Jr. in a partnership publishing *The Canadian Champion* until the death of "D.W." in 1896.

In 1886, on July 1, "Wild Rose" carried the flaming scarlet silks of the White family of Halton County in the winner's enclosure having won the Queen's Plate. The filly ran under the name of David Watson Campbell.

Mr. Campbell died at home in dramatic circumstances.

Dr. Howitt of Guelph with local doctors Peter Stuart, David Robertson and R.K. Anderson in attendance, operated on "D.W." for appendicitis on July 1, 1896. It was one of the earlier operations of

that type. He died the day following and was buried in Evergreen Cemetery in the White family plot.

The present owners are Dr. Ivan and Judy Hunter.

Vintage Photos



South West Elevation



The Campbell Children



South West Elevation



Page 74 of 512
South Elevation



South East Elevation

Milton Heritage Award 2008



Heritage Milton

Local Architectural Conservation Advisory Committee

15 January 2008

Dr. & Mrs. I. Hunter,
93 Victoria Street,
Milton

Re: 93 Victoria Street, Milton

I am writing to you on behalf of Heritage Milton. Heritage Milton is a Citizens Advisory Committee that advises and assists Council on all matters relating to the conservation of property that is of historic, cultural or architectural value. As part of its mandate it gives awards annually to those property owners who have recently undertaken building projects that have contributed to the preservation of the built heritage within Milton.

Heritage Milton is of the opinion that the design, form and use of materials within the recent renovations to your property at 93 Victoria Street have been sympathetically designed to reflect both the traditional character and appearance of your property itself and of this part of "old Milton". As a consequence, Heritage Milton would like to present you with a Heritage Award for this outstanding renovation project of an inventoried residential building within the urban area. The award will be presented to you at the Milton Historical Society's Award Ceremony in Hugh Foster Hall at 2pm on Sunday February 24th 2008. If you wish to receive this award, please contact me on 905 878 7252 ext. 2585 at your earliest opportunity.

As part of the award ceremony Heritage Milton would welcome a short slide presentation by you (or someone else who knows your project well) outlining the history of your property and details of the renovation project. Any photographs you have of your property, both before and after the building works would be welcome and can be included within this presentation.

Finally, Heritage Milton is seeking your permission to use photographs of the exterior of your property on its website or within other material to promote the work of Heritage Milton and encourage others to undertake sympathetic renovation projects.

Yours sincerely,

Anne Fisher BSc Dip TP MRTPI
Planner – Development Review
Tel. (905) 878-7252 Ext. 2585
Fax. (905) 878-5024
E-mail: anne.fisher@miton.ca

Heritage Award

Recipient of the **2008 Heritage Award** for the restoration of the Front Porch

The Milton Historical Society and Heritage Milton welcome you to the 2008 Heritage Awards.

Today, we recognize local citizens and organizations who have completed heritage related projects in the following themes;

Visual Arts

Writing

Education

Architectural Restoration

Contratulations to the award recipients! Thanks for the support of our award presenters including Ms. Betty Kennedy, Ms. Karin Muller, Mayor Gordon Krantz, and MPP Ted Chudleigh

Thanks also to our volunteers, to media support. Special thanks to Ms. Judy Hunter and students for the musical entertainment

Celebrate Milton's Heritage.

Agenda

2:00 PM Opening Comments, Piping in of Award Winners and Canadian Anthem

2:10 PM Milton Historical Society Award Winners

Milton Historical Society Awards

Visual Arts Award
"Jasper Martin Sculpture" to Nancy Cuttle

Educational Award
"Milly the Millstone Writing Contest Participation".
Guardian Angels Elementary School

Visual/Writing Award
"Milton Home Hardware Heritage Hardware Display and Milton Home Hardware Store History"

Writing Award
"Milton Streets"
Jim Dills and John Challinor II

150th Anniversary Celebrations Recognition
Arts Society of Milton (F.A.S.M.)

150th Anniversary Celebrations Recognition Town of Milton Staff

2:35 PM Student Singers and Piano Recital

3:00 PM 15 minute intermission
Refreshments in Lobby area

3:15 Heritage Milton Awards

57 Martin St.
Renovation of an Inventoried Commercial building
Mr. J Martin

93 Victoria St
Renovation of an Inventoried Residential building
Dr. I and Mrs. J Hunter

157 Robert St
Renovation of an Inventoried Residential building
Ms M. Sedgwick, Ms M. Marshall and Mr. M. Maciel

186 Sarah St
Renovation of an Inventoried Residential building
Mr. John and Mrs. Kelly Abrams

10802 Fifth Line
Renovation of an Inventoried Rural building
Ms. Laurie Wells

4:10 Closing Comments



Page 77 of 512
Front Porch Restoration

Front Porch Restoration_ Construction 2007-2008



Physical Heritage Attributes

- Massing of the two storey clapboard house with asymmetrical composition and mansard roof



2009



2014



2016



2018



Page 79 of 512
2020



2022

Physical Attributes:

Unique Mansard roof with combination of a off centered hip and an octagonal turret.

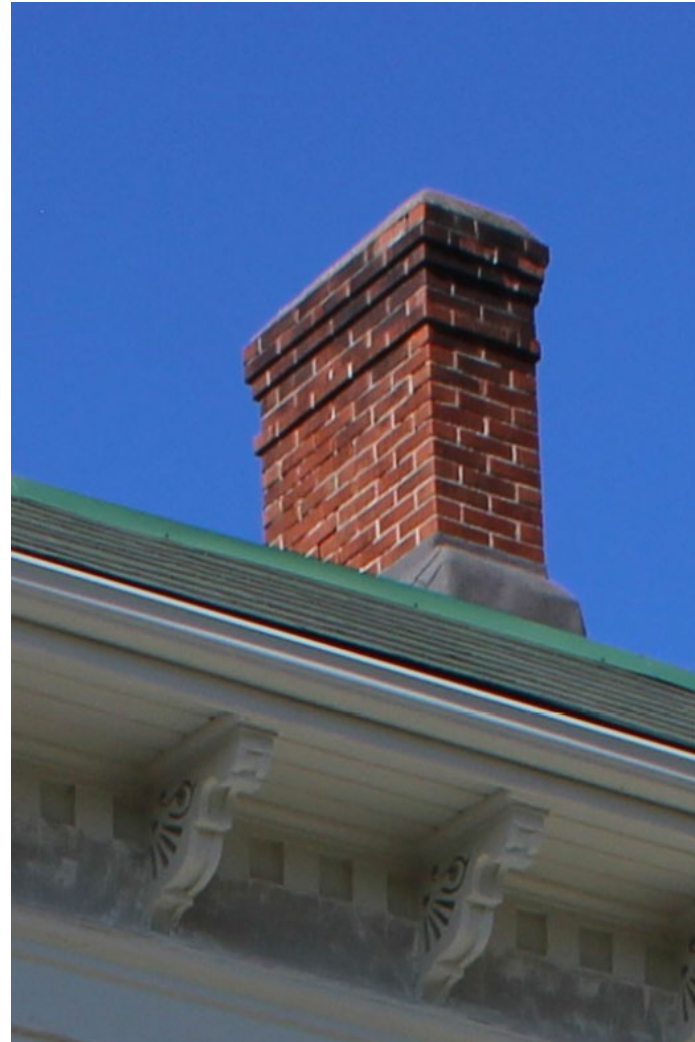


Physical Heritage Attributes

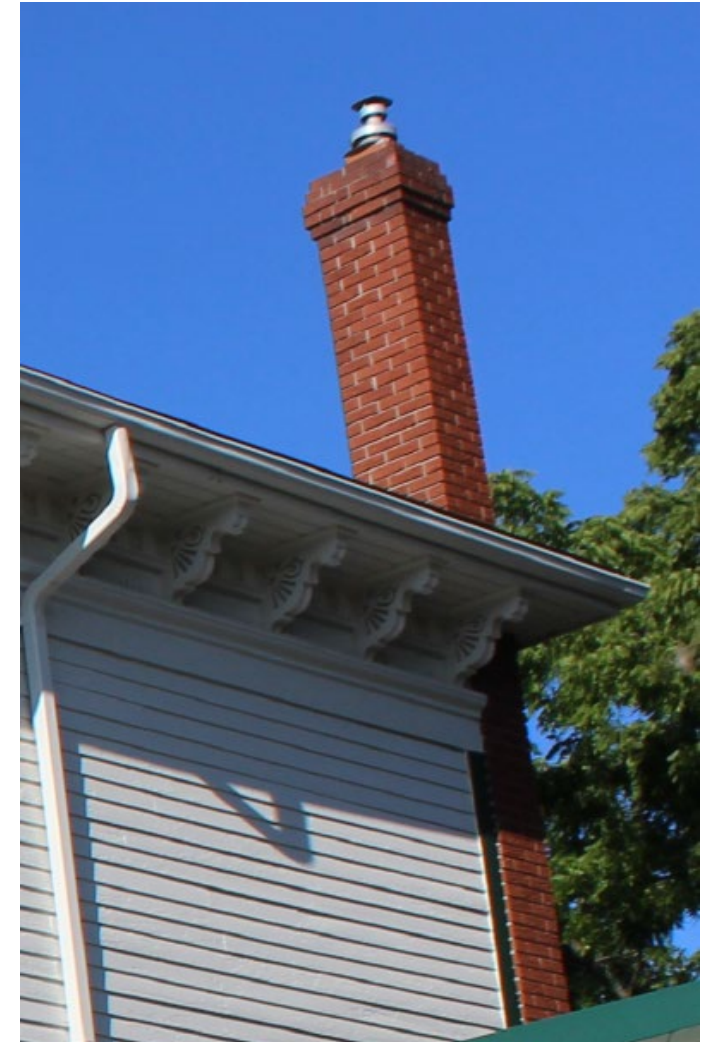
- Brick Chimneys



Location of Chimneys



Chimney 1



Chimney 2

Physical Heritage Attributes

Off Centre Hip Roof, Decorative roof brackets, trims and bay window composition



Off Centre Gable Roof, Bay window composition



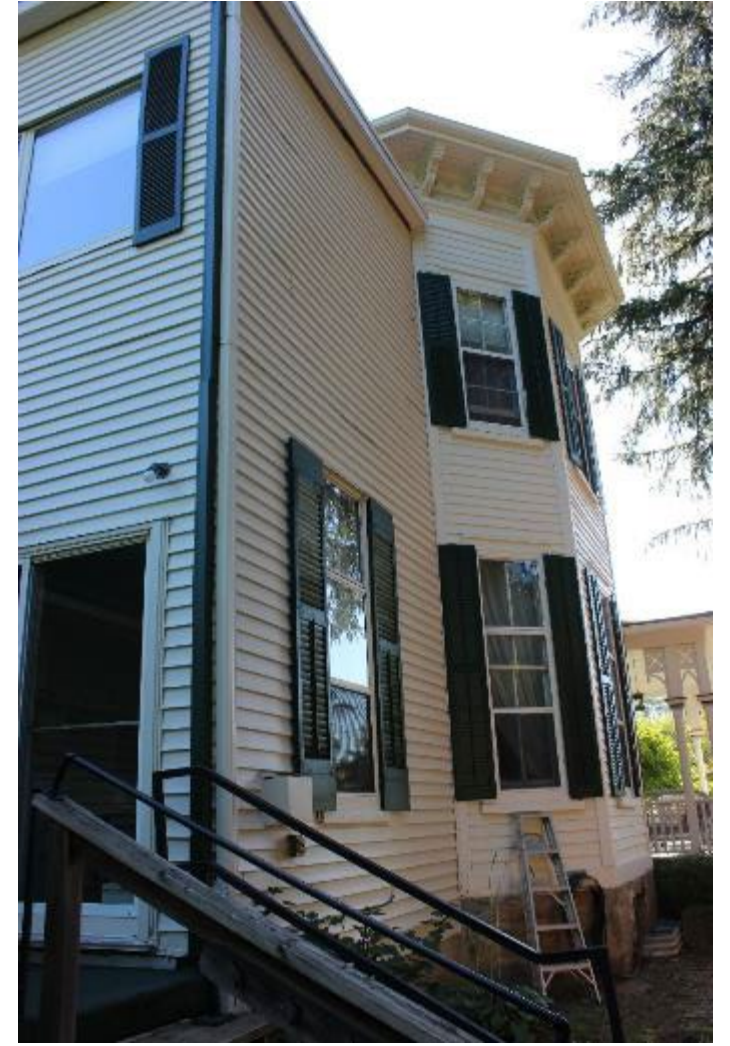
Bay Window



Hip roof with decorative eaves bracket

Physical Heritage Attributes

- Octagonal Turret with decorated Roof Brackets Bay Windows and Louvered Shutters



Physical Heritage Attributes

- Wrap around front porch with decorative columns and plain balustrade



Physical Heritage Attributes

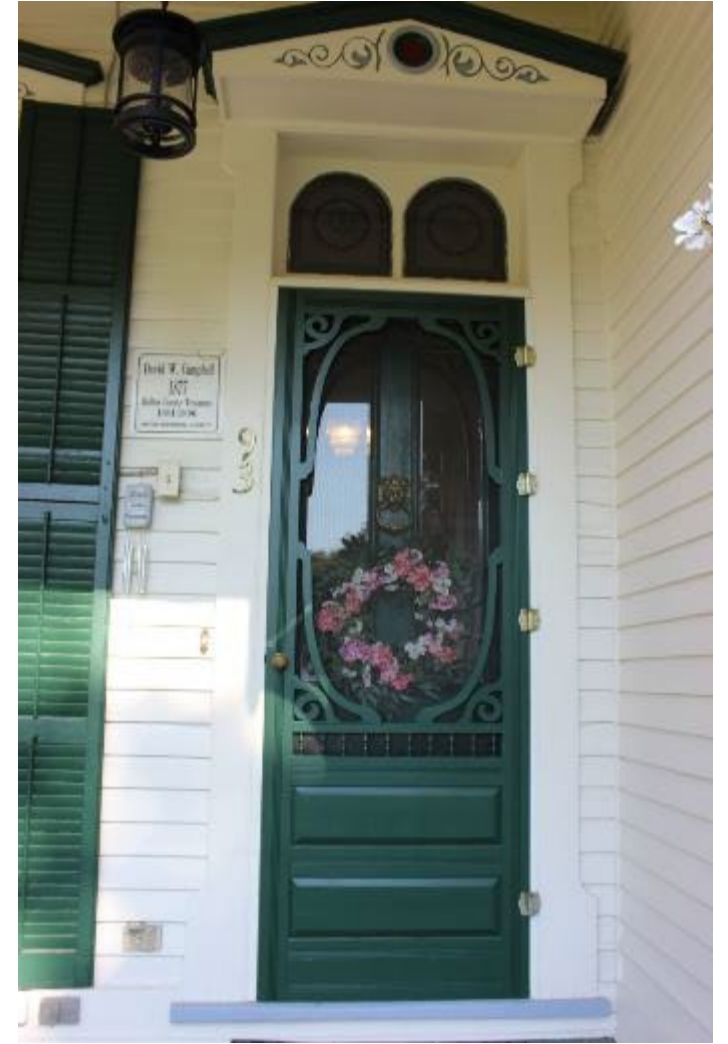
- Four panels front door with two upper glazed insert and fancy pediment trims



Front Door Interior view



Front Door Exterior view



Fancy Pediment Trims

Physical Heritage Attributes

- Two over two windows with triangular Pediment, louvered shutters and wooden lug sills



Second Floor Windows _ Front Elevation



Front Elevation along Victoria Street



Front Elevation Windows

Physical Heritage Attributes

- Two over two windows with triangular Pediment, louvered shutters and wooden lug sills



Second Floor East Elevation Window



East Elevation



Ground Floor East Elevation Window

Physical Heritage Attributes

- Wide overhanging eaves with decorated roof brackets and trims



Decorated roof brackets _ Left Corner



Decorated roof brackets



Decorated roof brackets _ Right Corner

Physical Heritage Attributes

- Wide overhanging eaves with decorated roof brackets and trims



Decorated roof brackets



Decorated roof brackets



Decorated roof brackets

Photos of the property _Rear addition (Not Heritage Attributes)



Photos of the property _Side Elevations



Interior Elements (Not included in Designation)

Intricate trims, baseboard, ceilings, large staircases, hardwood floors, and ornate fireplaces.



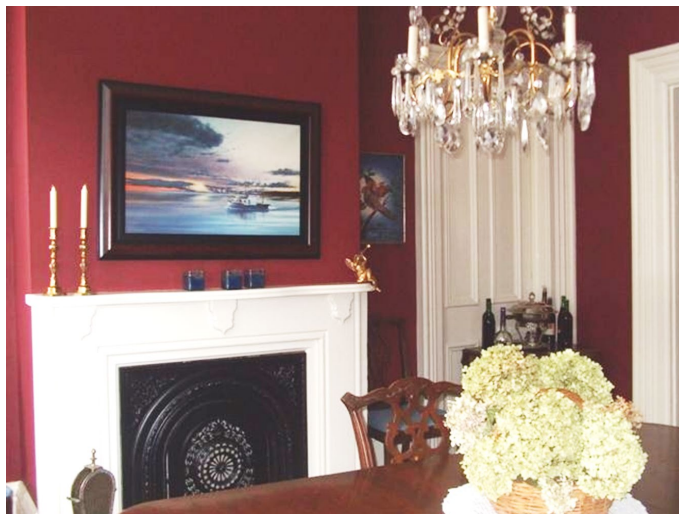
Ornate Ceiling



Ornate Ceiling



Ceiling Crown Moulding



Ornate Fire Place

Fireplace



Ornate Marble Fire Place



Ornate Staircase

Interior Elements (Not included in Designation)

Fancy Corbel Archway and Ceilings



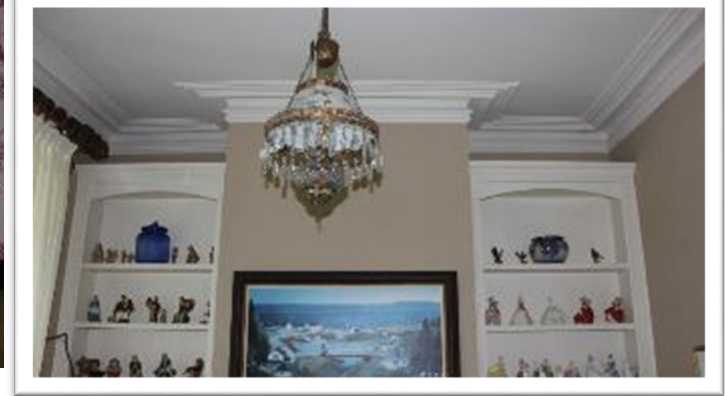
Corbel



Corbel Archway



Corbel





The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-014-24

Subject: LOPA-02-24 & Z-03-24 - 11801 Derry Road (Takol CMCC Derry Limited Partnership) - Initial Report and Public Meeting

Recommendation: That Development Services Report DS-014-24 BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The purpose of the proposed applications is to facilitate the development of four (4) multi-unit buildings totalling approximately 34,040 square metres of general and light industrial space, with 61 units currently proposed. The Official Plan Amendment seeks to adjust the limits of the Industrial and Business Park designations to accommodate the proposed building envelopes, along with allowing surface parking spaces within the Street Oriented Area overlay, located between the proposed building and Derry Road. The Zoning By-law Amendment seeks to rezone the lands to permit the proposed uses, and further establish zone standards specific to the proposed development.

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

Owner: TAKOL CMCC DERRY Limited Partnership, 2300 Yonge Street, Toronto ON, M4P 1E4

Applicant: Mainline Planning Services Inc., P.O Box 319, ON L0J 1C0

Location/Description:

The subject lands are located in Ward 2 and are municipally known as 11801 Derry Road. The property is located at the north-west corner of the intersection at Derry Road and Sixth

Background

Line. The subject lands comprise an area of approximately 7.61 hectares (18.81 acres) and are currently vacant, being used for agricultural purposes.

Surrounding land uses include agricultural operations, single detached dwellings (along Sixth Line), natural heritage features (north and east of the subject lands) and industrial developments (west of the subject lands).

A Location Map is included as Figure 1 to this report.

Proposal:

The applicant is proposing an industrial development comprised of four (4) multi-unit buildings (3D Renderings have been provided as Figure 2 to this report). There are 67 units proposed which are anticipated to be under condominium tenure. A full movement access is proposed at Sixth Line and a right-in and right-out access at Derry Road.

A Concept Site Plan is included as Figure 3 to this report.

The Official Plan Amendment seeks to amend the Official Plan and Derry Green Corporate Business Park Secondary Plan by adjusting the limits of the Industrial Area and Business Park Area designations to accommodate the proposed building envelopes of Buildings A and B which are contemplated as business park, while Buildings C and D are contemplated as industrial. Further, the amendment would permit parking along Derry Road, which is otherwise prohibited as it is the direction of the Plan, through Section C.9.5.1.5, that parking shall not be located between the building and the street.

The Zoning By-law Amendment application proposes to re-zone the lands from the current Future Development Zone (FD) to three site specific zones: Business Park Zone (M1*XA), Business Park Zone (M1*XB), and General Industrial Zone (M2*XX). Each site specific zone will establish a range of permitted uses, along with parking rates. General zone standards are proposed for the entire site to address setbacks, site configuration, and maximum building heights; such provisions seek to facilitate the proposed development in relation to the site's configuration and existing constraints.

The following information has been submitted in support of this application:

- Official Plan Amendment / Zoning By-law Amendment Application Form
- Cover Letter, prepared by Mainline Planning Services Inc.
- Draft Official Plan Amendment, prepared by Mainline Planning Services Inc.
- Draft Zoning By-law Amendment, prepared by Mainline Planning Services Inc.
- Planning Justification Report, prepared by Mainline Planning Services Inc., dated January 22, 2024
- Concept Site Plan, prepared by Mainline Planning Services Inc., dated June 2023
- 3D Renderings, prepared by Ware Malcombs, dated January 03, 2024
- Architectural Package, prepared by Ware Malcombs, dated January 22, 2024
- Noise Impact Study, prepared by DBA Acoustical Consultants Inc., dated October 2023
- ESA Site Summary Letter (Ph. I and Ph. II), prepared by Premier Environmental Services, dated December 21, 2022



Background

- Grading Plan, prepared by TYLin, dated October 2022
- Hydrogeological Investigation, prepared by Palmer, dated January 22, 2024
- Photometric Plan, prepared by Inviro Engineered Services Ltd, January 02, 2024
- Traffic Impact Study, prepared by TYLin, dated January 2024
- Urban Design Brief, prepared by Ware Malcomb, dated January 12, 2024
- Arborist Report and Tree Preservation Plan, prepared by Palmer, dated December 12, 2022
- Constraint Mapping, prepared by TYLin and Palmer, dated November 2022
- Stage I - III Archeological Assessments, prepared by ASI, dated June-November 2022
- Stormwater Management Report, prepared by TYLin, dated June 2023
- Confirmation of a Substantially Complete Comprehensive Environmental Servicing Study, prepared by Rachel Ellerman, dated February 1, 2024.

Discussion

Planning Policy:

The northern portion of the subject lands are designated as Industrial Area and the southern portion as Business Park Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan. The Business Park designation permits a range of light industrial and office uses, with an emphasis on a high standard of design. The Industrial Area designation permits a range of general industrial uses, along with general criteria that should be considered in support of a development proposal.

The lands are further designated as Business Park Area and Industrial Area with a portion of the site being subject to the Street-Oriented Area overlay and Gateway Area overlay on Schedule C.9.B - Derry Green Corporate Business Park Land Use Plan within the Derry Green Corporate Business Park Secondary Plan. The Business Park Area designation supports light industrial and office uses, while establishing overlay policies that permit a wider range of uses. The Industrial Area designation supports the general industrial policies in addition to uses that should be restricted in order to support the vision of the Secondary Plan area. The Street-Oriented Area overlay (affecting Building B) permits additional uses such as convenience commercial and office. The Gateway Area overlay (affecting Building A) permits the uses set-out in the Street-Oriented Area overlay, along with general commercial uses such as banquet facilities and entertainment uses.

It is staff's opinion that the proposed development generally conforms to the policies of the Town's Official Plan and the Derry Green Corporate Business Park Secondary Plan. However, an Official Plan Amendment is required to amend the boundaries of the Business Park Area and Industrial Area designations and address the Street Oriented Area overlay adjacent to Derry Road.

The applicant is proposing to amend Schedule C.9.B - Derry Green Corporate Business Park Land Use Plan to adjust the limits of Business Park Area and Industrial Area designations in an effort to accommodate the proposed building envelopes. Buildings A

Discussion

and B are contemplated as business park, while Buildings C and D are contemplated as general industrial.

The Street Oriented Area overlay requires development to be designed with street related sites and buildings, including a continuous frontage of buildings wherever feasible. It does not allow for parking to be located between the building and the street with the intention of minimizing the visual impact of the parking area from the public right-of-way and establishing a continuous frontage. The applicant is requesting two rows of parking to be located between the front façade of Building B and Derry Road; enhanced screening and landscaping is proposed in an effort to maintain the vision of the Secondary Plan policies previously mentioned.

As a result of the aforementioned, an Official Plan Amendment is required. The Draft Official Plan Amendment and Schedules are attached as Appendix 1 to this Report.

Official Plan policies relevant to this proposal include:

- Section 3.8 - Business Park Area: Policies that establish permitted uses within the Business Park Area.
- Section 3.7 - Industrial Area: Policies that establish permitted uses within the Industrial Area.
- Section C.9.4.6 - Urban Design: Policies that set-out the vision for the Secondary Plan area, including enhanced streetscape design along Derry Road.
- Section C.9.5.1 - Business Park Area: Policies that establish permitted uses within the Business Park Area, including the Street-Oriented Area and Gateway Area overlays.
- Section C.9.5.3 - Industrial Area: Policies that establish permitted uses within the Industrial Area, along with those that shall be prohibited.

Zoning By-law 016-2014, as amended:

The subject lands are zoned as Future Development (FD) under the Town's Zoning By-law 016-2014, as amended. The only permitted uses within this zone are those that were legally existing on the date that the applicable FD Zone took effect; in this instance, the only use currently permitted on site is agricultural operations.

The Zoning By-law Amendment application propose to re-zone the subject lands from Future Development (FD) to three site specific zones, including a Business Park Zone (M1*XA), Business Park Zone (M1*XB), and a General Industrial Zone (M2*XX). The amendment will establish a range of permitted uses for each zone, along with general provisions related to site configuration and parking rates.

The Draft Zoning By-law is attached as Appendix 2 to this Report.

Site Plan Control:



Discussion

Should the development applications be approved, the applicant is required to obtain Site Plan Approval prior to any building permits being issued. Detailed site plan drawings addressing matters such as building elevations, lot grading and drainage, site design, lighting and landscaping will be required 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.

Public Consultation and Review Process:

Notice of Public Meeting was provided pursuant to the requirements of the Planning Act on February 29, 2024. Signage providing information on the proposed application was posted on the property along Derry Road and Sixth Line, in addition to notice being sent by mail to all properties within 200 metres of the subject lands.

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

- Consistency with the Provincial Policy Statement and conformity with the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan and Town Official Plan (including the Derry Green Secondary Plan);
- Proposed uses, including ancillary uses;
- Proposed parking rates and traffic impacts;
- Stormwater management and site servicing; and,
- Urban Design, specifically as it relates to the Street-Oriented and Gateway Areas.

Upon completion of the evaluation of the application, a Technical Report with recommendations will be brought forward for Council consideration.

Key Milestones

Milestone	Date
Pre-Consultation Meeting	10/21/2021
Pre-Submission Review	7/28/2023
Application Deemed Complete	2/2/2024
Statutory Public Meeting	3/25/2024
Date Eligible for Appeal for Non-Decision	6/1/2024



Financial Impact

There are no financial impacts associated with this report.

Respectfully submitted,

Jill Hogan, MCIP RPP
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc., Phone: Ext. 2263
MCIP, RPP
Planner - Development Review

Attachments

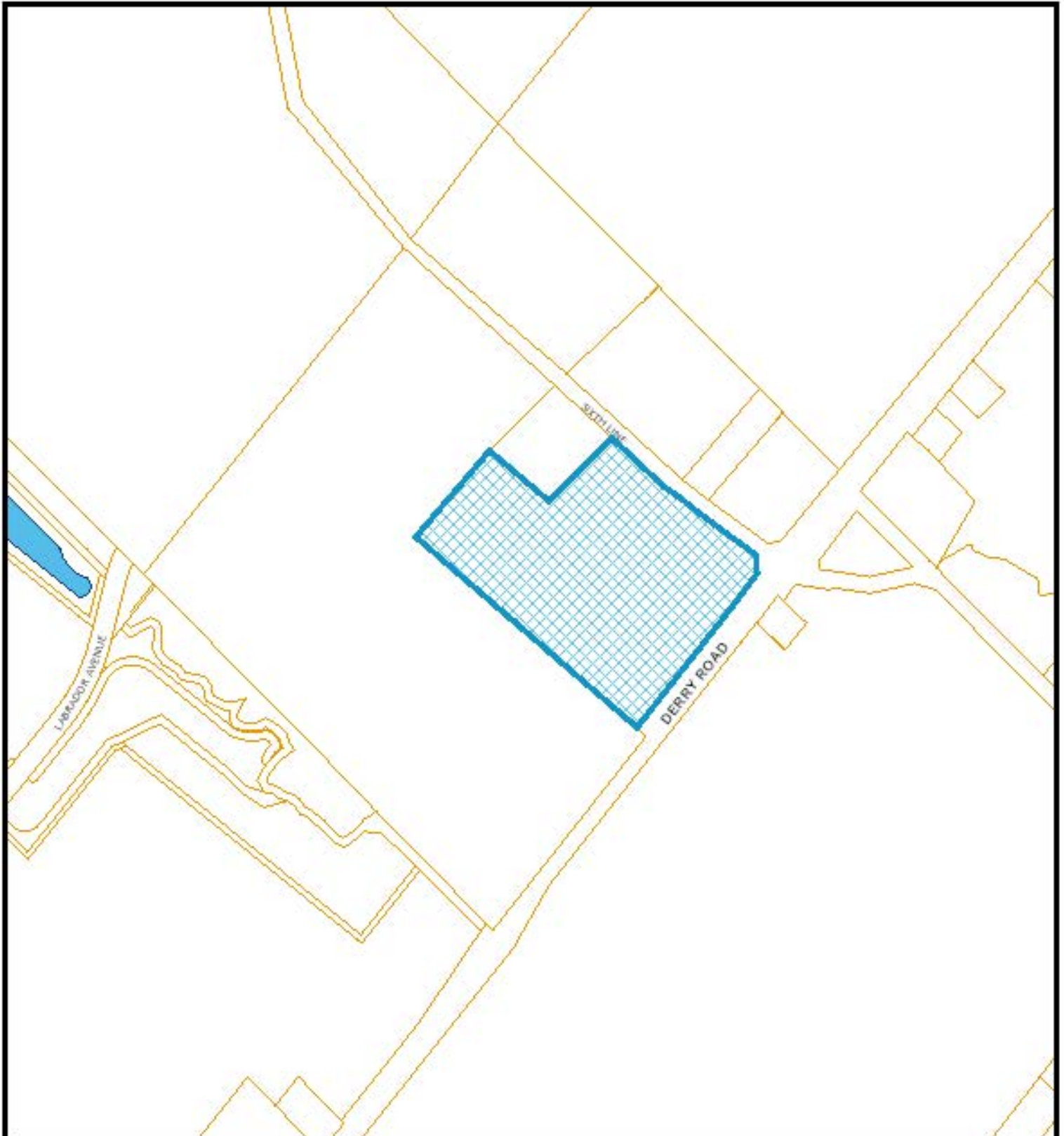
- Figure 1 – Location Map
- Figure 2 – 3D Renderings
- Figure 3 – Concept Site Plan
- Appendix A – Draft Official Plan Amendment
- Appendix B – Draft Zoning By-law Amendment

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:
March 25, 2024

Scale: 1:9,028

LOPA-02/24 & Z-03/24

Development Services



Subject Property
Page 100 of 512

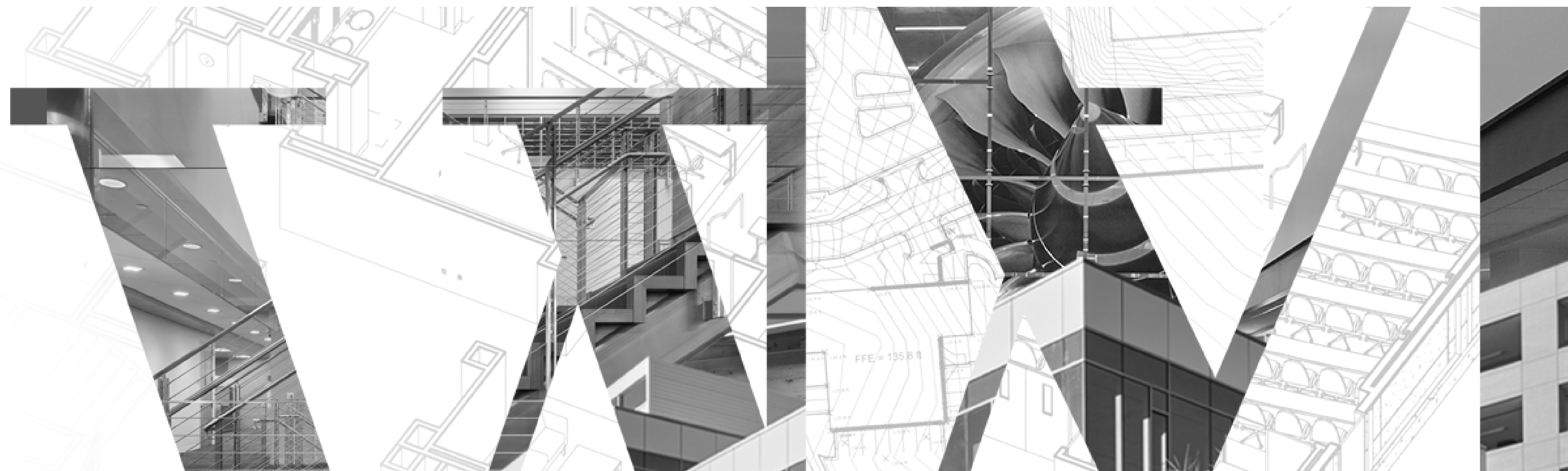
Copyright 2024: Town of Milton, Teranet Inc.

TAKOL

**11801 DERRY ROAD
INDUSTRIAL CONDOS**

11801 DERRY ROAD
MILTON, ON

SCHEMATIC DESIGN
TOR22-0045-00
01.03.2023





KEYNOTES

- | | | | | |
|---|--|---|--|--|
| <p>1 INSULATED METAL PANEL - WHITE
KINGSPAN - KS SERIES - MICRO-RIB - REGAL WHITE</p> <p>2 INSULATED METAL PANEL - CHARCOAL
KINGSPAN - KS SERIES - MICRO-RIB - CHARCOAL (432B1714)</p> <p>3 ALUMINIUM COMPOSITE METAL CANOPY - CHARCOAL
ALPOLIC - MICA MZG GREY / BGY GREY</p> | <p>4 ARCHITECTURAL STOREFRONT
ALUMICOR - BLACK 73</p> <p>5 VISION GLASS
VITRO - OPTIGRAY</p> <p>6 SPANDREL PANEL
OPACI-COAT-300 - #3-820 HARMONY GRAY</p> <p>7 WOOD ACCENT METAL TONGUE & GROOVE PLANK CLADDING
LONGBOARD - 6" SMOOTH PLANK - LIGHT CHERRY</p> | <p>8 INSULATED METAL PANEL - LIGHT GREY
KINGSPAN - KS SERIES - MICRO-RIB - DOVE GRAY</p> <p>9 8'-0" WIDE ARCHITECTURAL PRECAST PANEL W/ REVEALS - WHITE
TYPICAL</p> <p>10 PAINTED ACCENT ON PRECAST PANEL - BROWN
SHERWIN WILLIAMS - SW6132 RELIC BRONZE</p> <p>11 PAINTED ACCENT ON PRECAST PANEL - LIGHT GREY
SHERWIN WILLIAMS - SW7663 MONORAIL SILVER</p> | <p>12 METAL CAP - CHARCOAL
VICWEST - 56072 CHARCOAL / 55174 DEEP GREY</p> <p>13 METAL CAP - WHITE
VICWEST - 56161 CAMBRIDGE WHITE</p> <p>14 2'-7" X 10'-0" CLERESTORY WINDOW
TYPICAL</p> <p>15 POTENTIAL TENANT SIGNAGE LOCATION
TYPICAL</p> | <p>16 DIGITAL BILLBOARD / CLOCK
TYPICAL</p> <p>GENERAL NOTE
GC TO PROVIDE SAMPLES OF ALL MATERIALS FOR APPROVAL.</p> |
|---|--|---|--|--|



This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed. Signage shown is for illustrative purposes only and does not necessarily reflect municipal code compliance. All colors shown are for representative purposes only. Refer to material samples for actual color verification.

CONCEPTUAL RENDERING - BUCCLEIGH STREET PROJECT
11801 DERRY ROAD INDUSTRIAL CONDOS
 11801 DERRY ROAD, MILTON, ON - TOR22-0045-00

WARE MALCOMB 01.03.2023



KEYNOTES

- 1** INSULATED METAL PANEL - WHITE
KINGSPAN - KS SERIES - MICRO-RIB - REGAL WHITE
- 2** INSULATED METAL PANEL - CHARCOAL
KINGSPAN - KS SERIES - MICRO-RIB - CHARCOAL (432B1714)
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ALPOLIC - MICA MZG GREY / BGY GREY
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ALUMICOR - BLACK 73
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VITRO - OPTIGRAY
- 6** SPANDREL PANEL
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KINGSPAN - KS SERIES - MICRO-RIB - DOVE GRAY
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TYPICAL
- 16** DIGITAL BILLBOARD / CLOCK
TYPICAL

GENERAL NOTE
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CONCEPTUAL RENDERING - BUILDING 2 - SOUTH PERSPECTIVE

11801 DERRY ROAD INDUSTRIAL CONDOS
11801 DERRY ROAD, MILTON, ON - TOR22-0045-00

WARE MALCOMB

01.03.2023

PAGE 3



KEYNOTES

- 1** INSULATED METAL PANEL - WHITE
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- 16** DIGITAL BILLBOARD / CLOCK
TYPICAL

GENERAL NOTE
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CONCEPTUAL RENDERING - BUILDING 3 - NORTH PERSPECTIVE

11801 DERRY ROAD INDUSTRIAL CONDOS
11801 DERRY ROAD, MILTON, ON - TOR22-0045-00

WARE MALCOMB

01.03.2023

PAGE 4



KEYNOTES

- | | | | | |
|---|--|---|--|--|
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TYPICAL</p> <p>15 POTENTIAL TENANT SIGNAGE LOCATION
TYPICAL</p> | <p>16 DIGITAL BILLBOARD / CLOCK
TYPICAL</p> <p>GENERAL NOTE
GC TO PROVIDE SAMPLES OF ALL MATERIALS FOR APPROVAL.</p> |
|---|--|---|--|--|



This conceptual design is based upon a preliminary review of entitlement requirements and on unverified and possibly incomplete site and/or building information, and is intended merely to assist in exploring how the project might be developed. Signage shown is for illustrative purposes only and does not necessarily reflect municipal code compliance. All colors shown are for representative purposes only. Refer to material samples for actual color verification.

CONCEPTUAL RENDERING - BUILDING 4 - WEST PERSPECTIVE
11801 DERRY ROAD INDUSTRIAL CONDOS
 11801 DERRY ROAD, MILTON, ON - TOR22-0045-00

WARE MALCOMB 01.03.2023





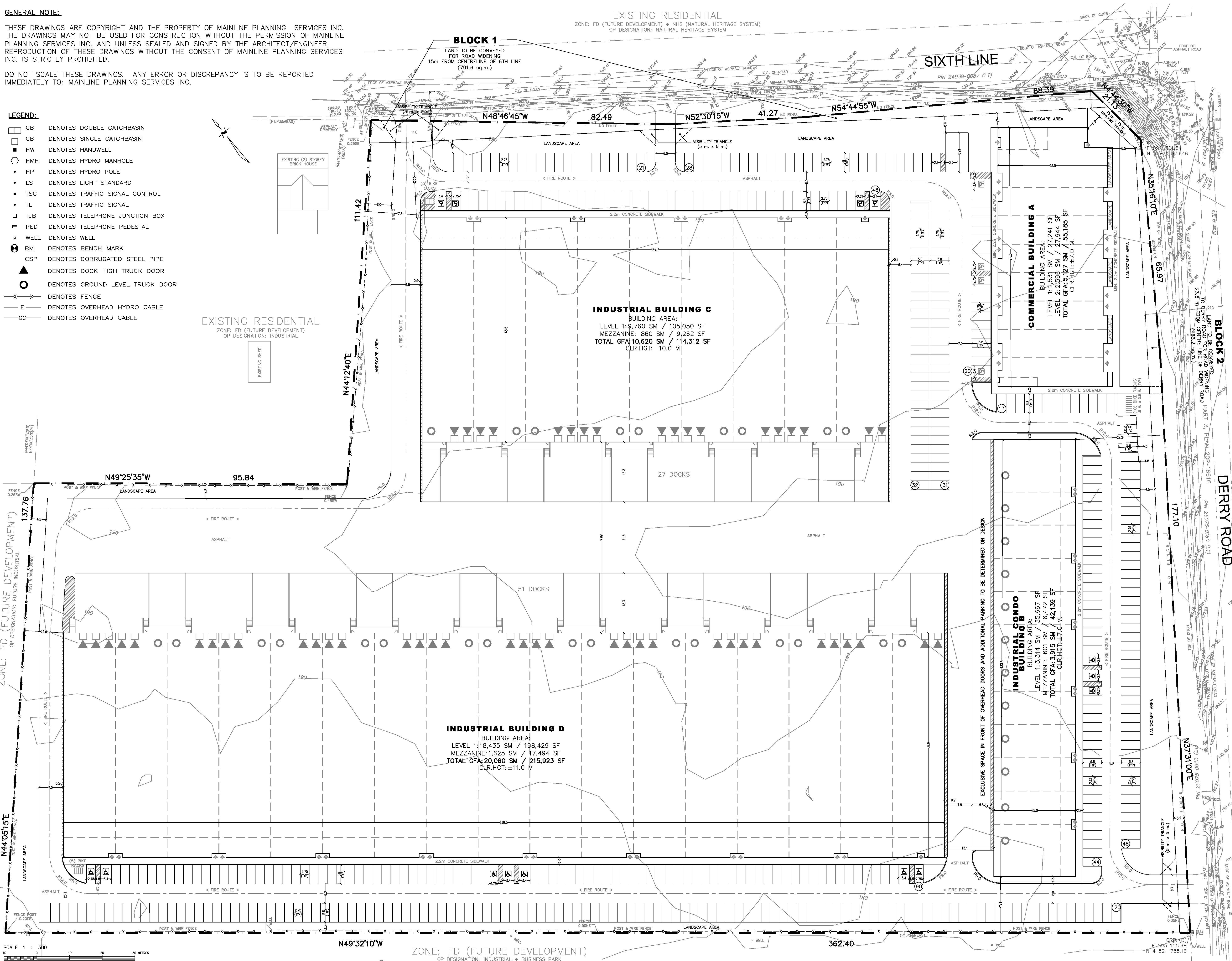
GENERAL NOTE:

THESE DRAWINGS ARE COPYRIGHT AND THE PROPERTY OF MAINLINE PLANNING SERVICES INC. THE DRAWINGS MAY NOT BE USED FOR CONSTRUCTION WITHOUT THE PERMISSION OF MAINLINE PLANNING SERVICES INC. AND UNLESS SEALED AND SIGNED BY THE ARCHITECT/ENGINEER. REPRODUCTION OF THESE DRAWINGS WITHOUT THE CONSENT OF MAINLINE PLANNING SERVICES INC. IS STRICTLY PROHIBITED.

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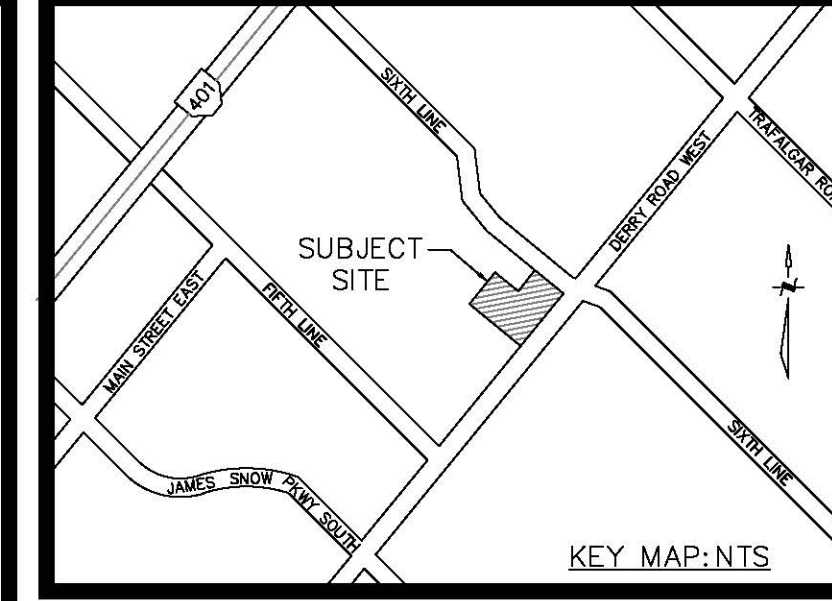
LEGEND:

- CB DENOTES DOUBLE CATCHBASIN
- CB DENOTES SINGLE CATCHBASIN
- HW DENOTES HANDWELL
- HMH DENOTES HYDRO MANHOLE
- HP DENOTES HYDRO POLE
- LS DENOTES LIGHT STANDARD
- TSC DENOTES TRAFFIC SIGNAL CONTROL
- TL DENOTES TRAFFIC SIGNAL
- TJB DENOTES TELEPHONE JUNCTION BOX
- PED DENOTES TELEPHONE PEDESTAL
- WELL DENOTES WELL
- BM DENOTES BENCH MARK
- CSP DENOTES CORRUGATED STEEL PIPE
- ▲ DENOTES DOCK HIGH TRUCK DOOR
- DENOTES GROUND LEVEL TRUCK DOOR
- X- DENOTES FENCE
- E DENOTES OVERHEAD HYDRO CABLE
- OC DENOTES OVERHEAD CABLE



LAND USE SCHEDULE

TOTAL SITE AREA:	=	76,134.0 sq.m. (100.0%)
TOTAL BUILDING ENVELOPES:	=	34,040.0 sq.m. (44.7%)
BUILDING (A):	=	2,531.0 sq.m.
BUILDING (B):	=	3,314.0 sq.m.
BUILDING (C):	=	9,760.0 sq.m.
BUILDING (D):	=	18,435.0 sq.m.
BLOCK 1-2: LANDS TO BE CONVEYED FOR ROAD WIDENING	=	1,647.8 sq.m. (2.2%)
TOTAL LANDSCAPED AREA:	=	9,521.6 sq.m. (12.5%)
TOTAL ASPHALT AREA:	=	30,924.6 sq.m. (40.6%)
TOTAL BUILDINGS G.F.A.:	=	39,722.0 sq.m.
BUILDING (A):	=	5,127.0 sq.m.
BUILDING (B):	=	3,915.0 sq.m.
BUILDING (C):	=	10,620.0 sq.m.
BUILDING (D):	=	20,060.0 sq.m.
BUILDING HEIGHT:	=	SEE PLAN
GARBAGE:	=	STORED INDOORS / PRIVATE COLLECTION
REQUIRED PARKING:	=	445 TOTAL (INC. 11 ACCESSIBLE SPACES)
PROVIDED PARKING:	=	495 TOTAL (INC. 18 ACCESSIBLE SPACES)
REQUIRED LOADING:	=	13
PROVIDED LOADING:	=	92
REQUIRED BICYCLE PARKING:	=	14
PROVIDED BICYCLE PARKING:	=	20
EXISTING ZONING:	=	FD (FUTURE DEVELOPMENT)
PROPOSED ZONING:	=	M1* (BUSINESS PARK - SITE SPECIFIC)
EXISTING USE OF LAND:	=	BUSINESS PARK AND INDUSTRIAL
PROPOSED USE OF LAND:	=	BUSINESS PARK AND INDUSTRIAL
ADJACENT USE OF LAND:	=	SEE PLAN



LEGAL DESCRIPTION

PLAN OF SURVEY ILLUSTRATING TOPOGRAPHY OF PART OF LOT 11 CONCESSION 6, NEW SURVEY (GEOGRAPHIC TOWNSHIP OF TRAFALGAR) TOWN OF MILTON REGIONAL MUNICIPALITY OF HALTON

NOTE:
ALL SURVEY INFORMATION PROVIDED BY J.D. BARNES LIMITED 401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1

NO.	DATE	DESCRIPTION	BY
1	JUN-23	SUBMITTED FOR ZBA APPLICATION	J.P.P.

REVISIONS

mainline
planning services inc.

PH (905) 893-0046 FAX (888) 370-9474
P.O. BOX 319, KLEINBURG, ONTARIO, L0J 1C0

DRAWING TITLE

MILTON GATES
CONCEPT SITE PLAN

PROJECT

11801 DERRY ROAD
MILTON

DEVELOPER/OWNER

TAKOL CMCC DERRY LIMITED PARTNERSHIP

DRAWN	CHECKED	SCALE	DWG. NO.
K.A.R.	J.P.P.	1 = 500	CSP-1
DATE	ISSUED	CITY FILE No.	
AUG-22	J.P.P.		

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 11801 DERRY ROAD AND LEGALLY DESCRIBED AS PART OF LOT 11, CONCESSION 6, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TAKOL CMCC DERRY Limited Partnership) - FILE: LOPA-02/24

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. **XX** to the Official Plan of the Town of Milton, to amend Schedule B of the Town of Milton Official Plan and Schedule C.9.4 of the Derry Green Corporate Business Park Secondary Plan to align the designation boundaries with of the Plan to align with the development's building envelopes, and to amend Policy 4.11.3 and Schedule I1 of the Town of Milton Official Plan by establishing Special Policy Area No. **XX** to permit surface parking between a building and a street within the Street Oriented Area overlay designation, at lands located at 11801 Derry Road, and legally described as Part of Lot 11, Concession 6 (formerly Trafalgar), Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. **XX** to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON MAY XX, 2024

Gordon A. Krantz Mayor

DRAFT

AMENDMENT NUMBER XX

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

PART 2 THE AMENDMENT, consisting of the following text constitutes Amendment No. XX to the Official Plan of the Town of Milton

DRAFT

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. **XX**
To the Official Plan of the Town of Milton
11801 Derry Road
Part of Lot 11, Concession 6 (formerly Trafalgar) Town of Milton
(File: LOPA-02/24)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to modify the designations affecting 11801 Derry Road on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan and Schedule C.9.4 - Derry Green Corporate Business Park Secondary Plan Land Use Plan within the Derry Green Corporate Business Park Secondary Plan so that the Industrial designation extends further south on the subject lands.

The amendment further modifies Section 4.11 to add Specific Policy Area No. **XX** that permit surface parking between the building and the street within the Street Oriented Area overlay designation on the north side of Derry Road affecting 11801 Derry Road.

LOCATION OF THE AMENDMENT

The subject property is located at the north-west corner of Derry Road and Sixth Line and is approximately 7.61 hectares in size. The lands are legally described as Part of Lot 11, Concession 6 (formerly Trafalgar) Town of Milton, Town of Milton, and municipally known as 11801 Derry Road. The subject property is located within the Derry Green Corporate Business Park Secondary Plan.

BASIS OF THE AMENDMENT

The proposed amendment extends the boundary of the Industrial designation further south on the subject lands to accommodate the proposed siting of the building envelopes and overall development. The modified boundaries achieve the principles of the Official Plan and Derry Green Corporate Business Park Secondary Plan by establishing a dedicated employment area with a high order of urban design that enhances the character of the Corporate Business Park.

The Special Policy Area No. **XX** permits automobile parking between Derry Road and the building located on the north side of Derry Road in order to provide a separation between the general industrial and light industrial uses located on the site. The height and façade of the proposed building will maintain the urban design principles of the Official Plan by maintaining a significant building presence adjacent to the street thereby creating a strong and attractive street edge.

Official Plan Amendment No. 31 brought the Town's Official Plan into conformity with Provincial and Regional growth and intensification policies, including those for the Urban Growth Centre and is deemed to be consistent with the Regional Official Plan.

DRAFT

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. **XX** to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. **XX**, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

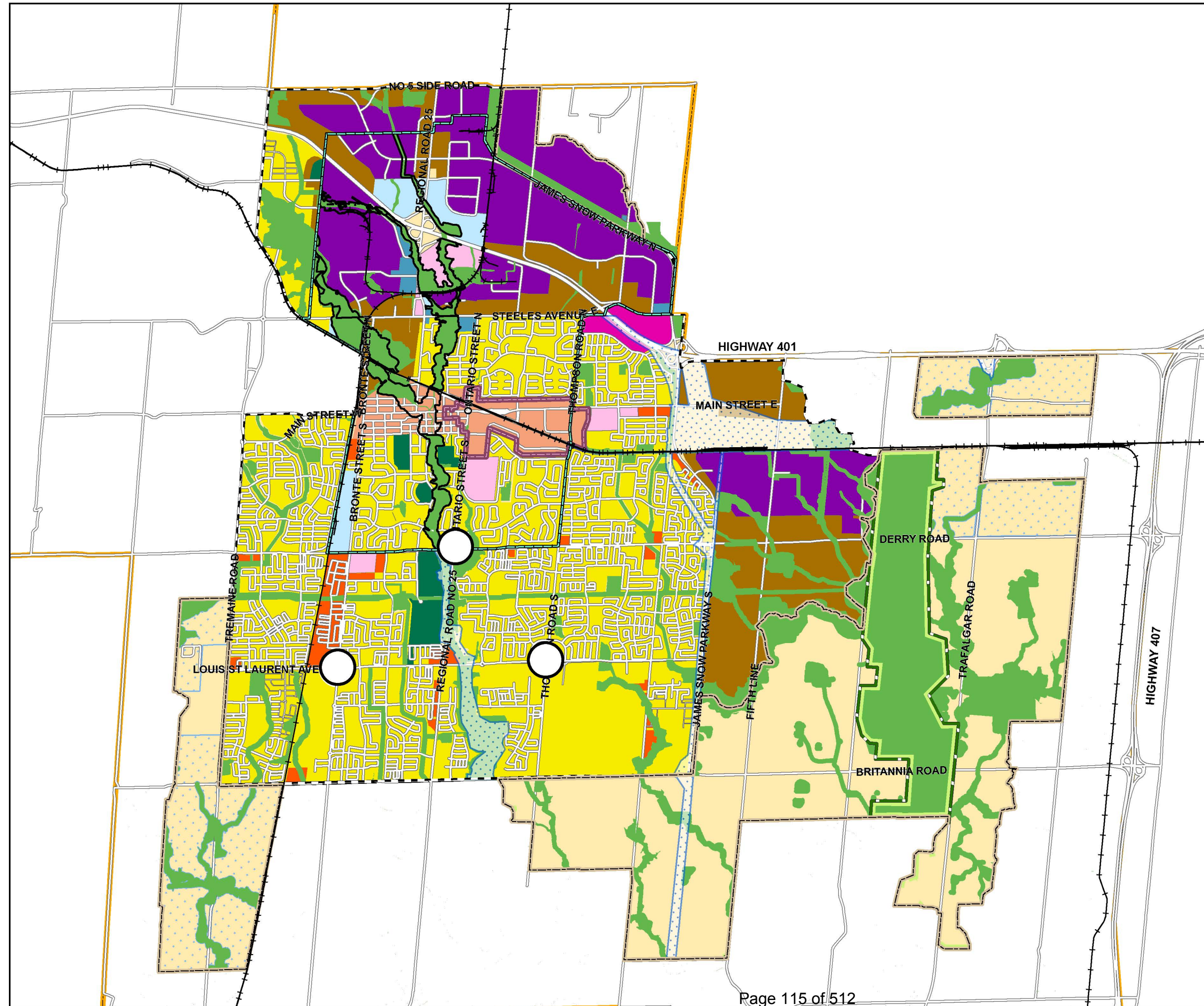
- 1.0 Map Change
 - 1.1 Amending Schedule B - “Urban Land Use Plan” to extend the Industrial Area designation south on the lands at 11801 Derry Road (Part of Lot 11, Concession 6 (formerly Trafalgar) Town of Milton), as shown on Schedule ‘B’ attached hereto.
 - 1.2 Amending Schedule C.9.B - “Derry Green Corporate Business Park Land Use Plan” to extend the Industrial Area designation south on the lands at 11801 Derry Road (Part of Lot 11, Concession 6 (formerly Trafalgar) Town of Milton), as shown on Schedule ‘C.9.B’ attached hereto.
 - 1.3 Amending Schedule I1 - “Urban Area Specific Policy Areas” by adding Specific Policy Area No. **XX** to the lands at 11801 Derry Road (Part of Lot 11, Concession 6 (formerly Trafalgar) Town of Milton) as shown on Schedule ‘I1’ attached hereto.
- 2.0 Text Change (Additions are shown in red underline and deletions are shown in ~~yellow strikethrough~~)

No.	Section No.	Modification
	<i>4.11</i>	<i>Specific Policy Areas</i>
1.	4.11.3.XX	New Specific Policy Area as follows: “The lands identified as Specific Policy Area No. XX on Schedule I1 of this Plan, being the lands at 11801 Derry Road, are permitted to allow surface parking between the building and the street within the Street Oriented overlay designation on the north side of Derry Road.”

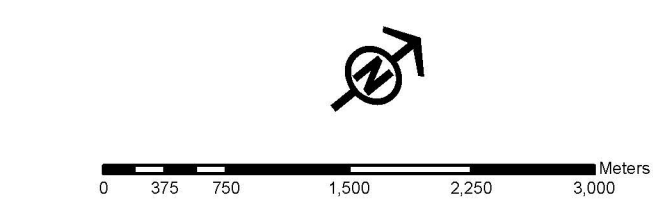
End of text

TOWN OF MILTON OFFICIAL PLAN

DRAFT Schedule B
Urban Area
Land Use Plan



- Business Park Area
- Business Commercial Area
- Central Business District
- Community Park
- SHP Growth Area
- SHP Growth Area- Employment
- Industrial Area
- Institutional Area
- Office Employment Area
- Major Commercial Centre
- Residential Area
- Residential Office Area
- Secondary Mixed Use Node
- Natural Heritage System
- Milton GO MTSA/Downtown Milton UGC
- Greenbelt Plan Protected Countryside
- Parkway Belt West Plan Area
- Regulatory Flood Plain
(Within Established Urban Area)
- SHP Urban Area Boundary
- Established Urban Area Boundary
- HUSP Urban Area Boundary
- Milton Boundary



This schedule forms part of the Official Plan and should be read in conjunction with the text.


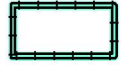




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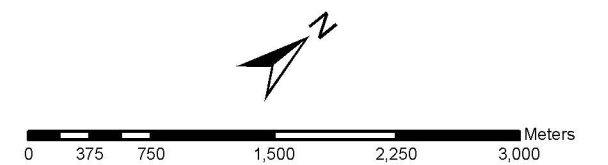
February, 2024

DRAFT
TOWN OF MILTON
OFFICIAL PLAN

Schedule I1

Urban Area
 Specific Policy Areas
 (Refer to section 4.11)

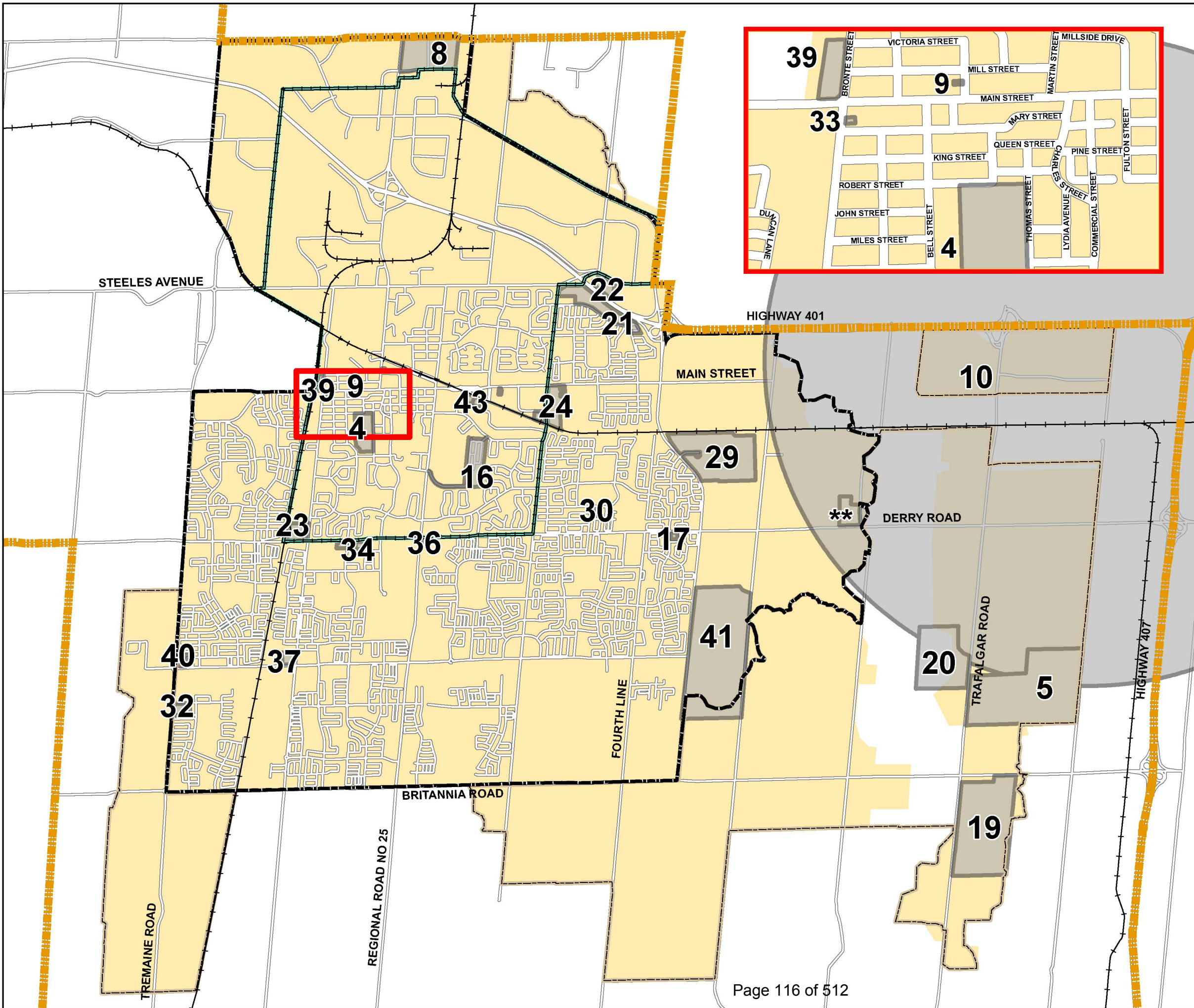
-  MILTON BOUNDARY
-  ESTABLISHED URBAN AREA BOUNDARY
-  HUSP URBAN AREA BOUNDARY
-  URBAN AREA
-  **8** SPECIFIC POLICY AREA & NUMBER
-  ** AREA SUBJECT TO LOPA-02/24



This schedule forms part of the Official Plan and should be read in conjunction with the text.

Copyright 2021: Town of Milton, Teranet Inc.

Date: February, 2024



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

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 11, CONCESSION 6, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TAKOL CMCC DERRY LIMITED PARTNERSHIP) - FILE: Z-03/24

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 lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. **XX** taking full effect;

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*XA) Zone symbol, site-specific Business Park (M1*XB) Zone symbol and site-specific General Industrial (M2*XX) 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.**XXX** to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park (M1*XA), the following standards and provisions shall apply

- a. Notwithstanding Section 8.1 - Table 8A Permitted Uses, the following shall be the only uses permitted:
 - i. Bank
 - ii. Commercial School - Skill
 - iii. Commercial School - Trade/Profession
 - iv. Convenience Store
 - v. Convention Centre
 - vi. Dog Daycare
 - vii. Dry Cleaning Depot
 - viii. Fitness Centre
 - ix. Industrial Use
 - x. Medical Clinic

- xi. Motor Vehicle Rental Agency
- xii. Office Use
- xiii. Personal Service Shop
- xiv. Place of Assembly
- xv. Place of Entertainment
- xvi. Research & Technology Use
- xvii. Restaurant
- xviii. Restaurant, Take-Out
- xix. School, Adult Education
- xx. U-Brew Establishment
- xxi. Veterinary Clinic - Small Animal
- xxii. Veterinary Hospital - Small Animal
- xxiii. Wholesale Operation

b. Special Site Provisions:

- i. Notwithstanding Section 5.2 and 5.8.2 - Table 5G, the minimum off-street parking requirements for all uses shall be 1 parking space per 30 square metres of Gross Floor Area.
- ii. Accessory service, whole sale and retail associated with an Industrial Use, Warehouse/Distribution Centre or a Wholesale Operation shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the Gross Floor Area of the premises, whichever is less.
- iii. Notwithstanding Section 5.11 - Table 5.K, a loading space shall be setback a minimum of 4.9 metres from any street line.
- iv. Notwithstanding Section 5.12 - Table 5L, a parking space shall be setback a minimum of 4.0 metres from any street line.
- v. Notwithstanding Section 8.2 - Table 8B, Derry Road shall be deemed the Front Lot Line.
- vi. Notwithstanding Section 8.2 - Table 8B, the front yard setback shall be 8.5 metres.
- vii. Notwithstanding Section 8.2 - Table 8B, the exterior side yard setback shall be 4.4 metres.
- viii. Notwithstanding Section 8.2 - Table 8B, the maximum building height shall be 20 metres.
- ix. Notwithstanding Section 8.2 - Table 8B, the minimum landscape buffer abutting a street line shall be 4 metres.

- x. Notwithstanding Section 5.13(i), the height of a free-standing or wall-mounted lighting fixture shall be 11.5 metres.
3. **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:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park (M1*XB), the following standards and provisions shall apply

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

- i. Animal Training Facility
- ii. Bank
- iii. Banquet Facility
- iv. Building Supply Outlet
- v. Commercial School - Skill
- vi. Commercial School - Trade/Profession
- vii. Convention Centre
- viii. Dog Daycare
- ix. Dry Cleaning Depot
- x. Dry Cleaning Establishment
- xi. Equipment Sales and Rental (no outdoor display or storage)
- xii. Fitness Centre
- xiii. Food Bank
- xiv. Funeral Home
- xv. Industrial Use
- xvi. Medical Clinic
- xvii. Monument Sales Shop (no outdoor display or storage)
- xviii. Motor Vehicle Dealership (no outdoor display or storage)
- xix. Motor Vehicle Rental Agency (no outdoor display or storage)
- xx. Office Use
- xxi. Personal Service Shop
- xxii. Place of Assembly
- xxiii. Place of Entertainment
- xxiv. Research & Technology Use
- xxv. Restaurant
- xxvi. Restaurant, Take-Out
- xxvii. School, Adult Education
- xxviii. Service and Report Shop
- xxix. Social Services Establishment
- xxx. U-Brew Establishment
- xxxi. Veterinary Clinic - Large Animal
- xxxii. Veterinary Clinic - Small Animal
- xxxiii. Veterinary Hospital - Small Animal
- xxxiv. Warehouse / Distribution Centre
- xxxv. Wholesale Operations

- b. Special Site Provisions:
- i. Notwithstanding Section 5.2 and 5.8.2 - Table 5G, the minimum off-street parking requirements for all uses shall be 1 parking space per 30 square metres of Gross Floor Area.
 - ii. Notwithstanding Section 5.11 - Table 5J, no loading spaces shall be required.
 - iii. Accessory service, whole sale and retail associated with an Industrial Use, Warehouse/Distribution Centre or a Wholesale Operation shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the Gross Floor Area of the premises, whichever is less.
 - iv. Notwithstanding Section 5.11 - Table 5.K, a loading space shall be setback a minimum of 4.9 metres from any street line.
 - v. Notwithstanding Section 5.12 - Table 5L, a parking space shall be setback a minimum of 4.0 metres from any street line.
 - vi. Notwithstanding Section 8.2 - Table 8B, Derry Road shall be deemed the Front Lot Line.
 - vii. Notwithstanding Section 8.2 - Table 8B, the front yard setback shall be 8.5 metres.
 - viii. Notwithstanding Section 8.2 - Table 8B, the exterior side yard setback shall be 4.4 metres.
 - ix. Notwithstanding Section 8.2 - Table 8B, the maximum building height shall be 20 metres.
 - x. Notwithstanding Section 8.2 - Table 8B, the minimum landscape buffer abutting a street line shall be 4 metres.
 - xi. Notwithstanding Section 5.13(i), the height of a free-standing or wall-mounted lighting fixture shall be 11.5 metres.

4. **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:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Business Park (M2*XX), the following standards and provisions shall apply

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

- i. Animal Training Facility
- ii. Banquet Facility
- iii. Building Supply Outlet
- iv. Cannabis Production and Processing Facility
- v. Commercial School - Skill
- vi. Commercial School - Trade/Profession
- vii. Commercial Storage Facility
- viii. Convention Centre
- ix. Dog Daycare
- x. Dry Cleaning Establishment
- xi. Equipment Sales and Rental
- xii. Food Bank
- xiii. Industrial Use
- xiv. Monument Sales Shop
- xv. Motor Vehicle Body Shop
- xvi. Motor Vehicle Dealership
- xvii. Motor Vehicle Rental Agency
- xviii. Motor Vehicle Repair Garage
- xix. Motor Vehicle Washing Establishment
- xx. Office Use
- xxi. Place of Assembly
- xxii. Place of Entertainment
- xxiii. Private Transit Depot
- xxiv. Recreation and Athletic Facility
- xxv. Recycling Facility
- xxvi. Research & Technology Use
- xxvii. School, Adult Education
- xxviii. Service and Repair Shop
- xxix. Social Services Establishment
- xxx. U-Brew Establishment
- xxxi. Veterinary Clinic - Small Animal
- xxxii. Veterinary Clinic - Large Animal
- xxxiii. Veterinary Hospital - Small Animal
- xxxiv. Warehouse / Distribution Centre
- xxxv. Wholesale Operation

b. Special Site Provisions:

- i. Notwithstanding Section 5.2 and 5.8.2 - Table 5G, the following parking requirements shall apply:
 1. For Gross Floor Area up to 5,000 square metres, 1 parking space per 125 square metres shall be provided; and
 2. For Gross Floor Area greater than 5,000 square metres, 1 parking space per 200 square metres shall be provided.

- ii. Notwithstanding any provisions of the By-law to the contrary, accessory retail and showroom uses associated with an Industrial Use, Warehouse/Distribution Centre or a Wholesale Operation shall be included within the above noted calculations.
 - iii. Accessory service, whole sale and retail associated with an Industrial Use, Warehouse/Distribution Centre or a Wholesale Operation shall be permitted provided that the retail area does not exceed 15% or 480 square metres of the Gross Floor Area of the premises, whichever is less.
 - iv. Notwithstanding Section 5.11 - Table 5.K, a loading space shall be setback a minimum of 4.9 metres from any street line.
 - v. Notwithstanding Section 5.12 - Table 5L, a parking space shall be setback a minimum of 4.0 metres from any street line.
 - vi. Notwithstanding Section 8.2 - Table 8B, Derry Road shall be deemed the Front Lot Line.
 - vii. Notwithstanding Section 8.2 - Table 8B, the front yard setback shall be 8.5 metres.
 - viii. Notwithstanding Section 8.2 - Table 8B, the exterior side yard setback shall be 4.4 metres.
 - ix. Notwithstanding Section 8.2 - Table 8B, the maximum building height shall be 20 metres.
 - x. Notwithstanding Section 8.2 - Table 8B, the minimum landscape buffer abutting a street line shall be 4 metres.
 - xi. Notwithstanding Section 5.13(i), the height of a free-standing or wall-mounted lighting fixture shall be 11.5 metres.
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 MAY XX, 2024

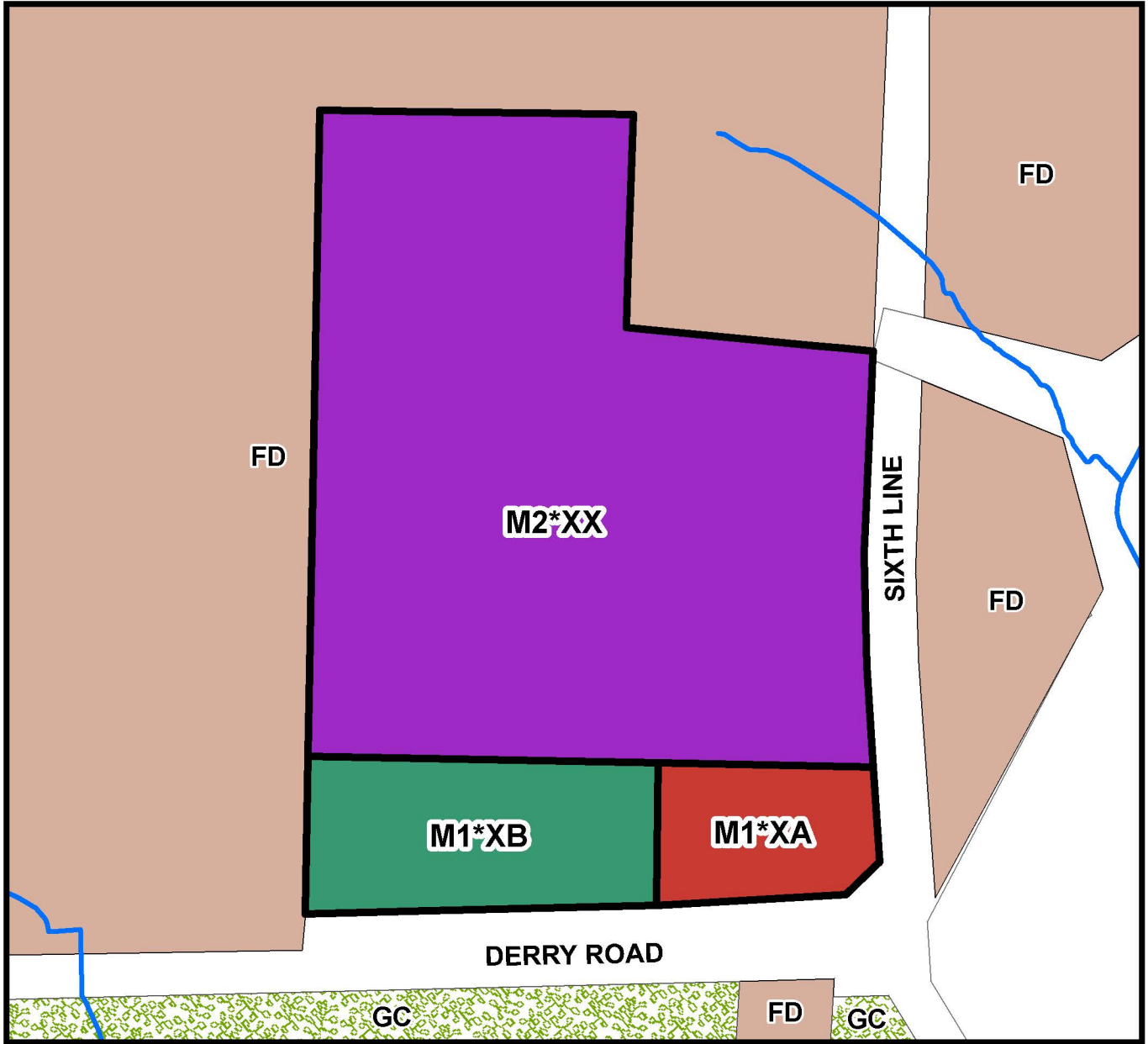
Gordon A. Krantz Mayor

Meaghen Reid Town Clerk




DRAFT

SCHEDULE A
TO BY-LAW No. -2024
TOWN OF MILTON

11801 Derry Road
Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS XX DAY OF XXXX, 2024.

-  Business Park (M1*XA)
-  Business Park (M1*XB)
-  General Industrial (M2*XX)

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid





The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-017-24

Subject: Public Meeting and Technical Report: Town-initiated Housekeeping Amendment to Zoning By-law 144-2003, as amended (Town File HKA-01/24).

Recommendation: **THAT Staff Report DS-017-24 outlining the Town-initiated Housekeeping Amendment to Zoning By-law 144-2003, as amended, to update the zoning for the Century Grove subdivision 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 Staff Report DS-017-24 for Council adoption;

AND THAT the Commissioner of Development Services forward this report to the Provincial Ministers of Health, Education, Transportation and Infrastructures 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 the report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

The purpose of the proposed housekeeping amendment is to update the zoning for the subject lands to ensure compliance with an Ontario Land Tribunal Order (OLT-22-003226) issued for the subject lands. On September 9, 2014, the (former) Ontario Municipal Board (OMB) issued a Decision to approve an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision (File: 24T-07003/M) for the subject lands. The OMB withheld its Order pending the completion of private agreements being entered into and registered on title, in accordance with the Minutes of Settlement.

Since the time of the above-mentioned OMB Decision, revisions were made to the Draft Plan of Subdivision to address outstanding technical issues identified by Town staff and agency partners. In 2023, the applicant made a request to the Ontario Land Tribunal (OLT) (formerly OMB) to approve a revised Draft Plan of Subdivision and updated Draft Plan

EXECUTIVE SUMMARY

conditions, and to release the above-noted Order. On January 22, 2024, the OLT issued a Decision and Order to approve the Draft Plan of Subdivision and Draft Plan conditions for the Century Grove subdivision.

In response to the latest OLT Decision and Order, the Town has initiated a housekeeping amendment to update the zoning that applies to the subject lands to ensure compliance with the OLT approved Draft Plan of Subdivision.

Conclusion and Recommendations

Staff are satisfied that the proposed housekeeping amendment, attached as Appendix 1 to this Report, will conform to Provincial, Regional and Town planning policies. Staff are also of the opinion that these changes are technical in nature and represent changes that reflect the OLT approved Draft Plan of Subdivision. Therefore, staff recommends approval of the housekeeping zoning by-law amendment as presented through this Report.

REPORT

Background

Owners: 1321387 Ontario Inc. and Valleygrove Estates, 880 Jane Street, Vaughan ON L4K 2M9

Applicant: Rosemarie Humphries, Humphries Planning Limited, 190 Pippin Road, Suite A, Vaughan ON L4K 4X9

Location/Description: The subject lands, located in Ward 1 are legally described as Part of Lot 3, Concession 1, former Township of Esquesing, Town of Milton and are municipally known as 94 and 98 Peru Road. The subject lands are bound by No. 3 Side Road to the north, Peru Road to the east, the Sixteen Mile Creek valley lands to the south and the realigned Tremaine Road to the west. The subject lands comprise an area of 25.28 hectares and include two existing dwellings. The dwelling located at 94 Peru Road is a designated heritage house under the Ontario Heritage Act.

Figure 1 to this Report illustrates the location of the subject lands.

The lands located to the east of the subject lands are zoned General Industrial (M2) for industrial uses. The lands to the north and west are owned by Milton Meadows Properties Ltd. The lands along the north side of No. 3 Side Road are within an approved Draft Plan of Subdivision and the lands to the west are subject to an application for a Draft Plan of Subdivision that is currently under review. The Sixteen Mile Creek and valleylands are located to the south of the subject lands.

Proposal:

The proposed housekeeping amendment seeks to amend the zoning on the subject lands to comply with a Decision and Order issued by the OLT approving the Century Grove Draft



Background

Plan of Subdivision (OLT-22-003226). Figure 2 to this Report includes the approved Draft Plan of Subdivision.

On September 9, 2014, the OMB (now OLT) issued its Decision to approve the applicable zoning on the subject lands (PL101316). The subject lands are currently zoned site-specific Business Commercial (C6*203), site-specific Business Commercial zones with a holding provision (C6*201-H14 and C6*202-H14), Greenlands A (GA), site-specific Greenlands A (GA*194), Greenlands B (GB), Open Space (OS), site-specific Residential Low Density with a holding provision (RLD*197-H14-H15) and site-specific Medium Density Residential 2 zones (RMD2*198-H14-H15, RMD2*199-H14-H15, RMD2*200-H14-H15 and RMD2*200-H14-H15-H17) under Zoning By-law 144-2003, as amended.

The housekeeping amendment proposes to update the zoning that applies to the existing dwellings, the stormwater management pond, a portion of the community park and the commercial block that fronts onto No. 3 Side Road, in accordance with the approved the Draft Plan of Subdivision.

Planning Policy

The subject lands are designated Urban Area and Natural Heritage System in the Halton Region Official Plan. Regional staff supported the approval of the revised Draft Plan of Subdivision and the updated Draft Plan Conditions that were approved by the OLT on January 22, 2024.

On September 9, 2014, the OMB (now OLT) issued its Decision to approve a Town of Milton Official Plan Amendment for the subject lands. The Official Plan Amendment had the effect of amending the Sherwood Survey Secondary Plan to establish land use designations and specific policies applicable to the future development on the subject lands.

The subject lands are designated Residential Area, Business Park Area and Natural Heritage System on Schedule B: Urban Area Land Use Plan in the Town of Milton Official Plan. In the Sherwood Survey Secondary Plan, the subject lands are designated Residential Area, Business Park Area, Community Park and Greenlands A on Schedule C-8-D: Sherwood Survey Secondary Plan - Land Use Plan.

In the Residential Area designation, a range of residential uses are permitted. In the Business Park Area designation, the permitted uses include light industrial and office uses, subject to a high quality of design. The Community Park Area designation applies to the park that will be situated on the south side of Peru Road on the subject lands. The Greenlands A designation applies to valleylands for the Sixteen Mile Creek.

Staff is of the opinion that the housekeeping amendment is consistent with OLT Decision and Order and conforms to the Halton Region Official Plan and the Town of Milton Official Plan.

Zoning By-law 144-2003, as amended

On September 9, 2014, the OMB (now OLT) issued its Decision to approve the applicable zoning on the subject lands (PL101316). The subject lands are currently zoned site-specific Business Commercial (C6*203), site-specific Business Commercial zones with a holding provision (C6*201-H14 and C6*202-H14), Greenlands A (GA), site-specific Greenlands A (GA*194), Greenlands B (GB), Open Space (OS), site-specific Residential Low Density with a holding provision (RLD*197-H14-H15) and site-specific Medium Density Residential 2 zones (RMD2*198-H14-H15, RMD2*199-H14-H15, RMD2*200-H14-H15 and RMD2*200-H14-H15-H17) under Zoning By-law 144-2003, as amended.

Since the 2014 OMB Decision, revisions were made to the Draft Plan of Subdivision and Draft Plan Conditions to address outstanding technical issues. Town staff from various departments and agency partners were involved in reviewing the submissions to address the outstanding technical issues that ultimately led to the revised Draft Plan of Subdivision and updated Draft Plan Conditions. The applicant returned to the OLT in late 2023 and, on consent of all Parties, requested approval of the revised Draft Plan of Subdivision and Draft Plan Conditions. On January 22, 2024, the OLT issued a Decision and Order to approve the Draft Plan of Subdivision and Draft Plan conditions for the Century Grove subdivision. As a result, certain zones in the applicable zoning by-law need to be updated to comply with the approved Draft Plan of Subdivision.

Below is an overview of the updates that were made to the Draft Plan of Subdivision.

The first revision to the Draft Plan of Subdivision was to Lot 6 which contains the existing house at 98 Peru Road. This lot was increased from 0.48 hectares to 0.50 hectares and the eastern boundary was reconfigured. This update was required to accommodate the driveway entrance to ensure adequate access to the property.

The second revision to the Draft Plan of Subdivision was the relocating of the stormwater management pond and buffer block to the east side of the park block immediately adjacent to Peru Road right-of-way. The change directly affected the community park block and the existing listed heritage house, which are further described below. The original location of the stormwater management pond required extensive infrastructure through the community park that would have required a servicing block through the community park that would not have been considered part of the required parkland dedication. The relocated stormwater management pond and buffer block were identified by Town staff as the preferred location.

The third revision to the Draft Plan of Subdivision was the reconfiguration of the community park (as a result of the relocated stormwater pond) and the reduction in the size of the community park (from 3.12 hectares to 2.96 hectares) to accommodate the stormwater management pond, buffer block and outfall block. The community park block is now situated closer to the proposed residential community and the revised shape and orientation of the community park is also better suited for parks programming and overall reflects a more useable block to serve the community. Should any further changes be made to the community park block to reduce its size, the owner would be responsible for

Background

providing cash-in-lieu in accordance with the Phase 2C Financial Agreement with the Town of Milton.

As a result of the revisions noted above, the existing designated heritage house is now within the stormwater management pond block. The entirety of the stormwater management pond block is required for the construction of the stormwater management pond to service the subdivision. This means that the designated heritage house will need to be relocated to the Commercial block along No. 3 Side Road. The relocation of the designated heritage house to the lands designated as Business Park Area had previously been considered, if it was determined that the house would not remain in situ. The Town's heritage staff are supportive in principle of the relocation and adaptive reuse of the designated heritage house. A Heritage Easement Agreement will be required which would include a heritage conservation plan, a moving plan and a mothballing plan.

On the basis of the above, the housekeeping amendment proposes to:

- Adjust the boundary of the site-specific Residential Low Density (RLD*197-H14-H15) zone that applies to Lot 6 (existing house);
- Move the Greenlands B (GB) zone that applies to the stormwater management pond and buffers to the east adjacent to Peru Road;
- Rezone the GB zone that applied to the previous location of the stormwater management pond to the Open Space (OS) zone; and,
- Delete the site-specific Business Commercial (C6*203) zone that applies to the designated heritage house and move the zoning provisions that apply to the designated heritage house to the site-specific Business Commercial (C6*201-H14) zone that is fronting onto No. 3 Side Road.

Appendix 1 to this Report includes a draft housekeeping zoning by-law amendment.

Site Plan Approval

Following the registration of the subdivision, site plan approval will be required. Detailed site plan drawings addressing matters such as building elevations, lot grading and drainage, site design, lighting and landscaping will be required for review and approval. The owner 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

In accordance with the Planning Act requirements and Town policies, notice for the statutory Public Meeting was provided on March 4, 2024 through written notice to all properties within 200 metres, the posting of a sign on the subject lands (near the existing dwelling at 94 Peru Road) as well as a notice posted on the Town's website. Notice was



Discussion

also provided to the Parties involved in the 2014 OMB Hearing, in accordance with the Minutes of Settlement. As of the date of writing this Report, Town staff have not received any written comments on the proposed Housekeeping Amendment.

Agency Consultation

The proposed housekeeping amendment was circulated to relevant internal and external commenting agencies. Halton Region, Conservation Halton, Town Departments and other agencies offered no objection to the applications. Development of the lands will be required in accordance with the current policies and regulations.

Conclusion

Staff is satisfied that the housekeeping amendment, attached as Appendix 1 to this Report, will conform to Provincial, Regional and Town land use planning policy. Therefore, staff recommends approval of the housekeeping 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, Phone: Ext. 2221
RPP, Senior Planner,
Development Review

Attachments

- Figure 1 - Location Map
- Figure 2 - Approved Draft Plan of Subdivision
- Appendix 1 - Housekeeping Zoning By-law Amendment

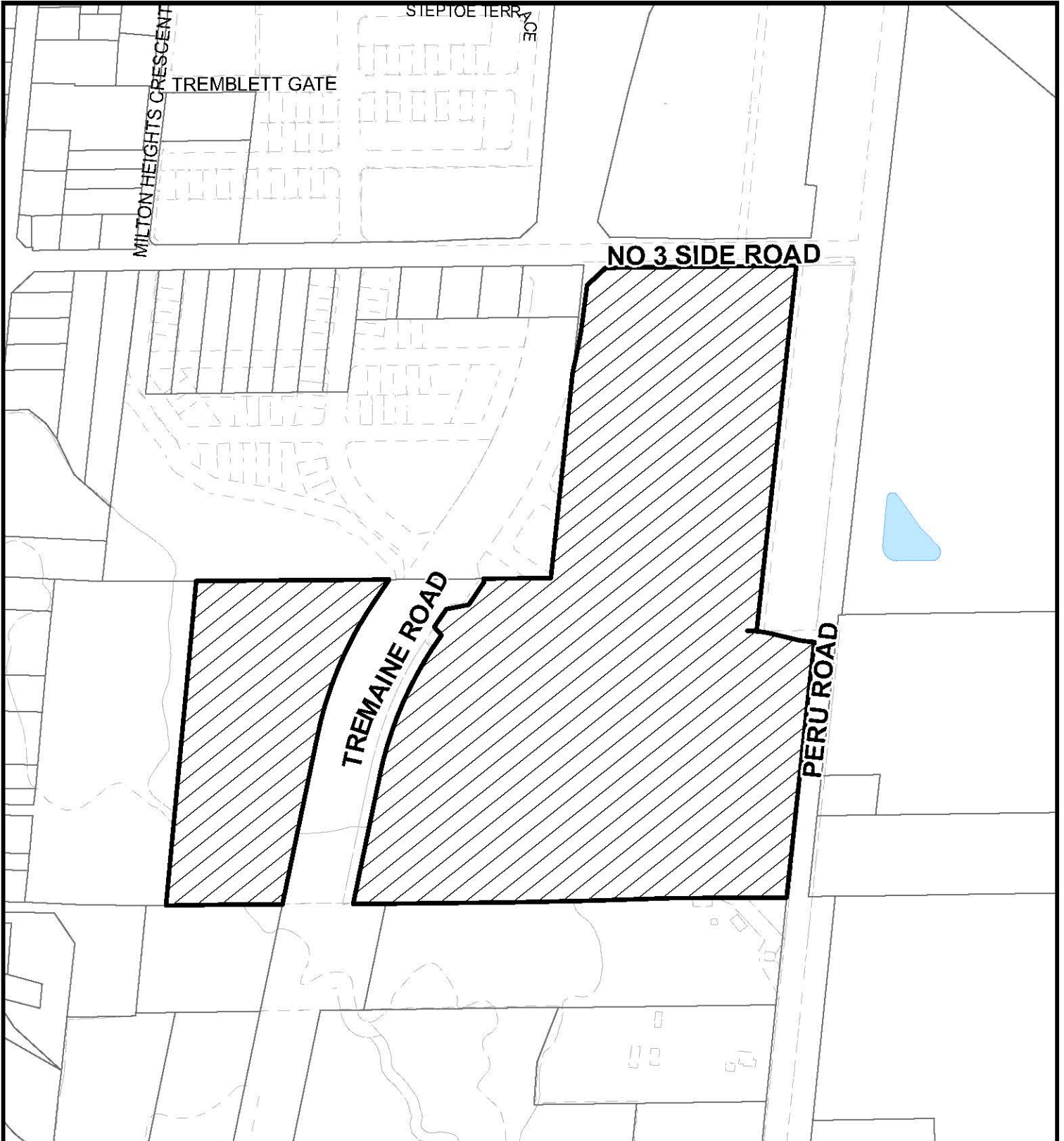
Approved by CAO
Andrew M. Siltala
Chief Administrative Officer



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:
March 25, 2024

Scale: 1: 5,000

Files: 24T-07003/M,
HKA-01-024

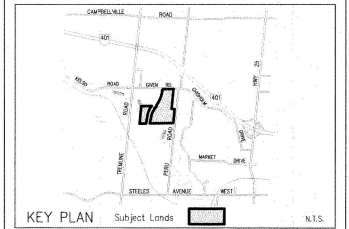
Development Services Department



Subject Property
Page 132 of 512

Copyright 2024: Town of Milton, Teranet Inc.

24T-07003/M



HUMPHRIES PLANNING GROUP INC.
 110 PIPPIN ROAD, SUITE A, VAUGHAN, ONTARIO, L4K 4G9
 TEL: (905) 234-7878 FAX: (905) 234-4072
 www.humphriesplanning.com

OWNER'S CERTIFICATE:
 I authorize Humphries Planning Group Inc. to prepare and submit this plan for draft approval.
 Date: 22 December 2022
 Date: Dec 29 2022

SURVEYOR'S CERTIFICATE:
 I hereby certify that the boundaries of the lands being subdivided and their correct relationship to the adjacent lands are accurately and correctly shown on this plan.
 Date: Dec. 23, 2022

DEVELOPMENT STATISTICS:

Single Family Residential	5 Lots	1-5	0.42 ha
Existing Residential	1 Lot	6	0.50 ha
Residential Condominium Townhouses	44 Units	7-35	2.87 ha
6.10m Townhouses	44 Units		
Commercial			
Business Park	36		0.82 ha
Park	36		2.96 ha
SWM Facilities	39		0.93 ha
15.0m Buffer	40		0.56 ha
7.5m Buffer	41		0.17 ha
Open Space	42, 43		7.67 ha
SWM Outfall	44		0.06 ha
Road Widening	45		0.01 ha
0.3m Reserves	46-48		0.01 ha
Street A 26m - 325m			3.10 ha
Street B 20m - 345m			
Streets C-0 @ 16.0m - 945m			
TOTAL	157 Units		21.63 ha

DRAFT PLAN OF SUBDIVISION
 PART OF LOT 3, CONCESSION 1 ESO
 TOWN OF MILTON
 REGIONAL MUNICIPALITY OF HALTON



ADDITIONAL INFORMATION:
 [Section 51(17) of the Planning Act, R.S.O. 1990, c. F. 13, as amended to April 11, 1997]
 a), b), c), f), g), & j) - on plan.
 c) - on key plan
 d) - see statistics
 h) - good water to be installed by developer
 i) - sandy, clay
 k) - all services to be made available by developer
 j) - none

HUMPHRIES PLANNING GROUP INC.
 110 PIPPIN ROAD, SUITE A, VAUGHAN, ONTARIO, L4K 4G9
 TEL: (905) 234-7878 FAX: (905) 234-4072
 www.humphriesplanning.com

File Number: 05106
 Date Drawn: DEC 13 13
 Drawn By: VT
 Checked By: R.H.
 Date Revised: DEC 20 22
 CAD File No.: A2

Figure 2 - Draft Plan of Subdivision

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 3, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VALLEYGROVE ESTATES & MILTON MEADOWS PROPERTIES INC.) - FILE: HKA-01/24

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, 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 144-2003, as amended, is hereby further amended by changing the existing Open Space (OS) zone, Greenlands B (GB) zone, site-specific Low Density Residential Zone with a holding (RLD*197-H14-H15) and site-specific Business Commercial (C6*203) zone to the site-specific Low Density Residential Zone with a holding (RLD*197-H14-H15), Open Space (OS) and Greenlands B (GB) zone symbols on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by amending Section 13.1.1.201 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for the relocated heritage dwelling the following standards and provisions shall apply:

- a. Notwithstanding any provisions to the contrary, a Daycare is not permitted as a principal use or as an accessory use in the relocated heritage dwelling.
- b. Notwithstanding any provisions to the contrary, in the relocated heritage dwelling the only permitted uses are:
 - i. Art Gallery
 - ii. Art Studio
 - iii. Medical Clinic for the following health professionals only:
Chiropractor, Dietician, Massage Therapist, Naturopath,

Optician, Optometrist, Physiotherapist, Psychologist and Speech Language Pathologist

- iv. Office Use
 - v. Personal Service Shop
 - vi. Restaurant
- c. Special Site Provisions for the relocated heritage house:
- i. Notwithstanding any provisions to the contrary, waste storage facilities shall be contained within a principal building.
3. **THAT** Section 13.1.1.203 of Comprehensive Zoning By-law 144-2003, as amended, is hereby deleted in its entirety.
4. 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 MARCH 25, 2024.

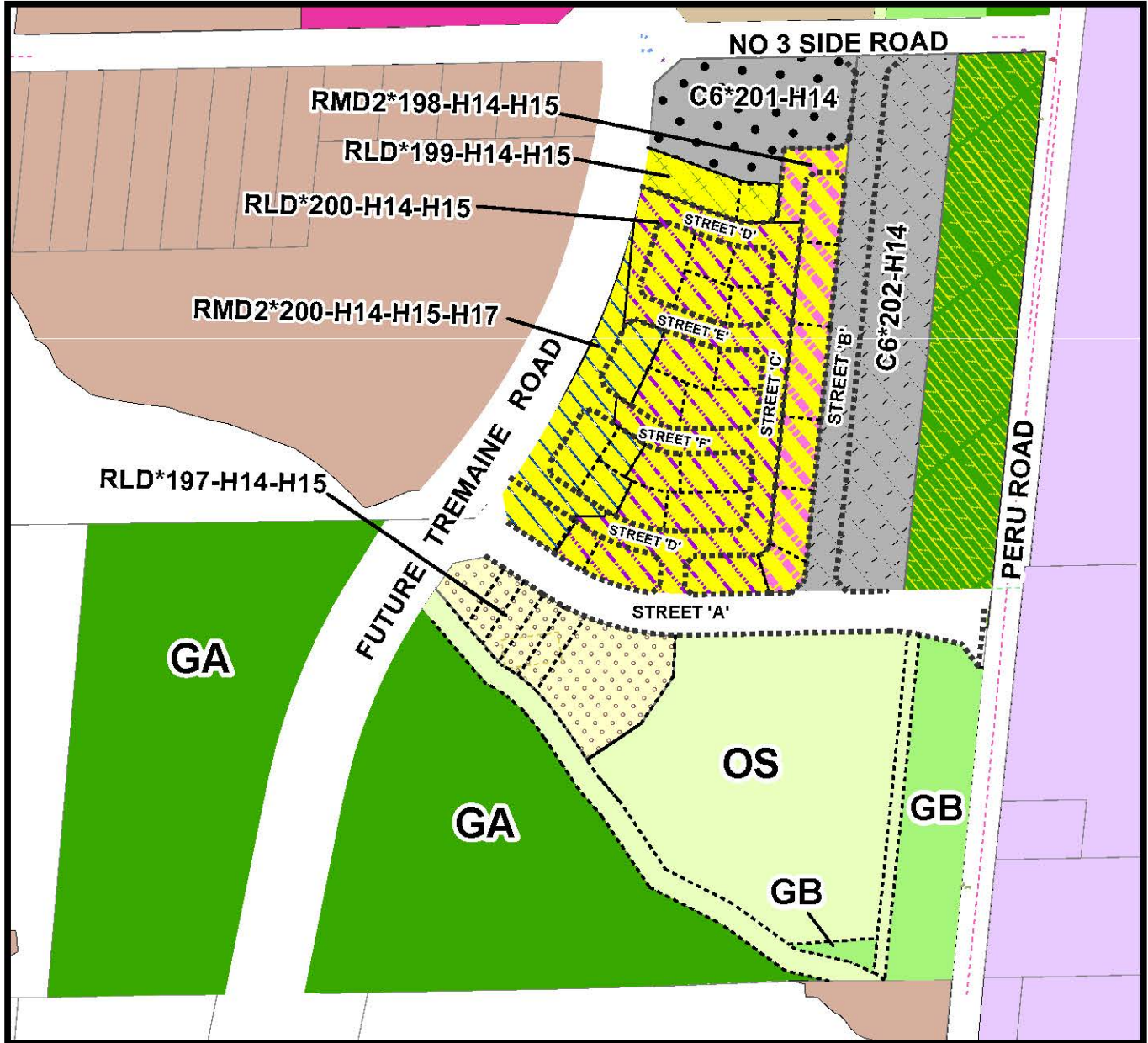
Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

**SCHEDULE A
TO BY-LAW No. -2024
TOWN OF MILTON**

ESQUESING CON 1 PT LOT 3 RP 20R863 PT PART 1 IRREG 50.80AC FR D












Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS __ DAY OF _____, 2024.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

- | | | | |
|---|---|---|--|
|  | GA - Greenlands A Zone |  | RMD2*199-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
|  | GB- Greenlands B Zone |  | RMD2*200-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
|  | OS - Open Space Zone |  | RMD2*200-H14-H15-H17 - Medium Density Residential 2 Zone Special with Holding Provisions |
|  | Greenlands A Zone Special | | |
|  | C6*202-H14 - Business Commercial Zone Special with Holding Provision | | |
|  | C6*201-H14 - Business Commercial Zone Special with Holding Provision | | |
|  | RLD*197-H14-H15 - Low Density Residential Zone Special with Holding Provisions | | |
|  | RLD*197-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions | | |





The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-019-24

Subject: Public Meeting and Information Report: Plan of Subdivision, Local Official Plan Amendment and Zoning By-law Amendment by Anatolia Real Estate Corp. for the lands known as 6728 Sixth Line (Files: 24T-24001/M, LOPA-01/24, and Z-02/24)

Recommendation: THAT Report DS-019-24, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The property owner, Anatolia Real Estate Corp. is proposing to construct a prestige business park with light industrial warehouses and office uses, in accordance with the Derry Green Corporate Business Park Secondary Plan. To facilitate the proposed development, the applicant has submitted a Draft Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications.

The proposed Plan of Subdivision consists of 4 development blocks of a variety of shapes and sizes to allow for the future development of light industrial warehouses and office uses, and includes the extension of Clark Boulevard to Derry Road.

The proposed Official Plan Amendment seeks to modify the Derry Green Secondary Plan to permit parking between the buildings and the street along Derry Road. All other policies of the Official Plan and the Derry Green Corporate Business Park Secondary Plan are proposed to remain the same.

Lastly, the proposed Zoning By-law Amendment seeks to rezone the lands from the existing Golf Course (GC) zone and Natural Heritage System (NHS) zone to the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone, with site specific provisions.

The applications are complete pursuant to the requirements of the Planning Act and are being processed accordingly. Upon completion of the consultation and review process, a technical report including recommendations, will be prepared and brought forward for consideration by Council. The technical report will address any issues raised through the consultation and review process.



REPORT

Background

Owner: Anatolia Real Estate Corp.

Applicant: Glen Schnarr & Associates Inc.

Location/Description:

The subject property known municipally as 6728 Sixth Line currently contains a Golf Course and is located at the south west corner of Derry Road and Sixth Line in Ward 3. The subject property borders employments plans to the north, west and south. The existing Enbridge Gas corridor runs directly South of the site. See Figure 1 for the Location Map.

Proposal:

The applicant is proposing to construct a prestige business park with light industrial and office uses, in accordance with the Derry Green Corporate Business Park Secondary Plan. Figures 2 and 3 illustrate the proposed concept plans. The proposal consists of 4 development blocks to accommodate the construction of 4 buildings. The buildings are proposed to consist of a total of approximately 184,000 square metres (1,980,559 square feet) of building floor area.

Plan of Subdivision Application (24T-24001/M)

The proposed Plan of Subdivision consists of 4 development blocks of a variety of shapes and sizes to allow for the future development of light industrial and office uses. The proposed plan also includes a stormwater management block, natural heritage system blocks, and the future extensions of Clark Boulevard to Derry Road. A copy of the Draft Plan of Subdivision can be found in Appendix 1.

Official Plan Amendment (LOPA-01/24)

The proposed Official Plan Amendment seeks to modify the Derry Green Secondary Plan to permit parking between the buildings and the street along Derry Road. All other policies of the Official Plan and the Derry Green Corporate Business Park Secondary Plan are proposed to remain the same. Attached to this report in Appendix 2 is the Draft Official Plan Amendment.

Zoning By-law Amendment (Z-02/24)

Lastly, the proposed Zoning By-law Amendment seeks to rezone the lands from the existing Golf Course (GC) zone and Natural Heritage System (NHS) zone to the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone. Additional site specific provisions are also

Background

proposed related minimum parking spaces required and minimum lot area. Attached to this report as Appendix 3 is the Draft Zoning By-law Amendment.

Documents Submitted with Application:

The following documents have been submitted by the applicant in support of the Plan of Subdivision, Official Plan Amendment, and Zoning By-law Amendment applications. These documents are available on the Town's website for review:

- Draft Plan of Subdivision, prepared by Glen Schnarr & Associates Inc. and dated Feb 1, 2024
- Draft Plan of Subdivision Block 4, prepared by Glen Schnarr & Associates Inc. and dated Feb 5, 2024
- Draft Official Plan Amendment, prepared by Glen Schnarr & Associates Inc. and dated Feb 4, 2024
- Draft Zoning By-law Amendment, prepared by Glen Schnarr & Associates Inc. and dated Feb 7, 2024
- Arborist Report, prepared by Dillon Consulting and dated Oct 2023
- Archeological Assessment, prepared by The Archaeologists Inc and dated Jan 22, 2020
- Architectural Drawings, prepared by Ware Malcomb and dated Jan 11, 2024
- Functional Servicing and Stormwater Management Report, prepared by Stantec Consulting Ltd and dated Dec 22, 2023
- Geotechnical Investigation Report, prepared by GEI Consulting and dated June 14, 2023
- Hydrogeological Investigation Report, prepared by GEI Consulting and dated Jan 17, 2023,
- Landscape Concept Plan, prepared by Stantec Consulting Inc and dated Jan 11, 2023
- Noise Impact Study, prepared by Aercoustics and dated Dec 15, 2023
- Phase One Environmental Site Assessment, prepared by Envision Consultants Ltd and dated Nov 15, 2023
- Phase Two Environmental Site Assessment, prepared by Envision Consultants Ltd and dated Jan 18, 2024
- Letter of Reliance, prepared by Envision Consultants Ltd and dated Jan 18, 2023
- Planning Justification Report, prepared by Glen Schnarr & Associates Inc. and dated Jan 2024
- Slope Stability Analysis, prepared by GEI Consulting and dated Sept 29, 2023
- Topographical Survey, prepared by Stantec Geomatics Ltd. And dated April 12, 2023
- Traffic Impact Study and Parking Justification, prepared by BA Group and dated Dec 2023

Background

- Trail Feasibility Study, prepared by Anatolia Capital Corporation and dated Dec 20, 2023
- Urban Design and Sustainability Brief, prepared by Anatolia Investments Corp and dated Jan 2024

Discussion

Planning Policy

The subject lands are designated Business Park Area and Natural Heritage System on Schedule B in the Town of Milton Official Plan. The Business Park Area designation permits primarily employment uses, including a full range of office uses and light industrial uses such as warehousing. Commercial uses are limited and residential uses are not permitted. A portion of the lands is also designated as Natural Heritage System. The purpose of the Natural Heritage System designation is to define and protect areas that have environmental significance and to improve and restore the quantity and quality of ground and surface water.

Additionally, the lands are located within the Derry Green Corporate Business Park Secondary Plan. This plan forms part of the Official Plan and identifies the lands as Business Park Area. Portions of the lands are also identified as Gateway, Street Oriented Area and Natural Heritage Oriented Area overlay designations. These designations further define the types of employment uses permitted within each designation.

Within the Business Employment area designation, a full range of light industrial and office uses are permitted. The Business Park Street Oriented Area and the Gateway overlay designations include additional policies related to urban design including requiring that buildings be a minimum of two storeys in height and that no parking shall be located between the building and the street. These overlay designations also require that light industrial uses include a significant office component. Additionally, the Natural Heritage Oriented Area Overlay designation includes specific policies to ensure that developments are designed to be sensitive to and limit impacts on the surrounding Natural Heritage System.

An Official Plan Amendment is required, as the applicant is proposing to provide parking in front of the buildings along Derry Road within the Business Park Street Oriented Overlay designation.

A full review of the applicable Provincial, Regional and Local planning policies will be undertaken as part of the review of the applications.

Zoning By-law

The subject lands are currently zoned Golf Course (GC) and Natural Heritage System (NHS). A zoning by-law amendment is required as only a Golf Course and a Detached Dwelling is currently permitted in the GC zone.

Discussion

This application seeks to rezone the lands the Business Park (M1) zone, the Natural Heritage System (NHS) zone, and the Open Space-Stormwater Management (OS-2) zone. Additional site specific provisions are also proposed related to minimum parking spaces required and minimum lot area. A copy of the draft By-law is attached as Appendix 3 to this report.

Planning staff note that additional site specific provisions have typically been required for similar development proposals in the Derry Green Secondary Plan Area. Additional site specific provisions will be considered related to permitted uses, building heights, landscaped open space, and minimum office area components.

A full review of the proposed amendments to the Zoning By-law will be undertaken to ensure that the proposed regulations appropriately implement the policies of the Official Plan and Derry Green Corporate Business Park Secondary Plan, and are consistent with other developments approved in the Derry Green Secondary Plan Area.

Site Plan Control

Should the applications be approved, the developer is required to obtain site plan approval prior to building permit issuance. Detailed site plan drawings addressing such matters as building design, lot grading and drainage, lighting and landscaping will be required to be submitted. Details of each development block, including internal driveways, parking areas, garbage disposal, utilities, and water and sanity sewer connections, will be reviewed as part of the site plan.

Public Consultation and Review Process

Public notices have been provided pursuant to the requirements of the Planning Act and the Town's Official Plan. Notice of the Complete Application was provided on February 5, 2024 and notice of the Statutory Public Meeting was provided on February 28, 2024.

With regard to the proposal, staff have identified the following items for further consideration:

- Urban design, particularly along Derry Road;
- Building and site design including building setbacks, building height, and landscaping;
- Proposed uses, including proposed ancillary uses; and
- Traffic impacts and the alignment of the Clark Boulevard extension.

The items above, as well as any public comments received throughout the course of the application review, will be reviewed by staff and discussed in the future technical report. The technical report will include a copy of all written comments received from the public. The technical report with staff recommendations will be brought forward for Council consideration upon completion of the evaluation of the application.



Discussion

Key Milestones

Milestone	Date
Pre-Consultation Meeting	7/7/2021
Pre-Submission Review	6/19/2023
Application Deemed Complete	1/23/2024
Statutory Public Meeting	3/25/2024
Date Eligible for Appeal for Non-Decision	5/23/2024

Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Natalie Stopar, Planner Phone: Ext. 2297

Attachments

- Figure 1 – Location Map
- Figure 2 – Concept Plan Blocks 1-3
- Figure 3 – Concept Plans Block 4
- Appendix 1 – Draft Plan of Subdivision
- Appendix 2 – Draft Official Plan Amendment
- Appendix 3 – Draft Zoning By-law Amendment

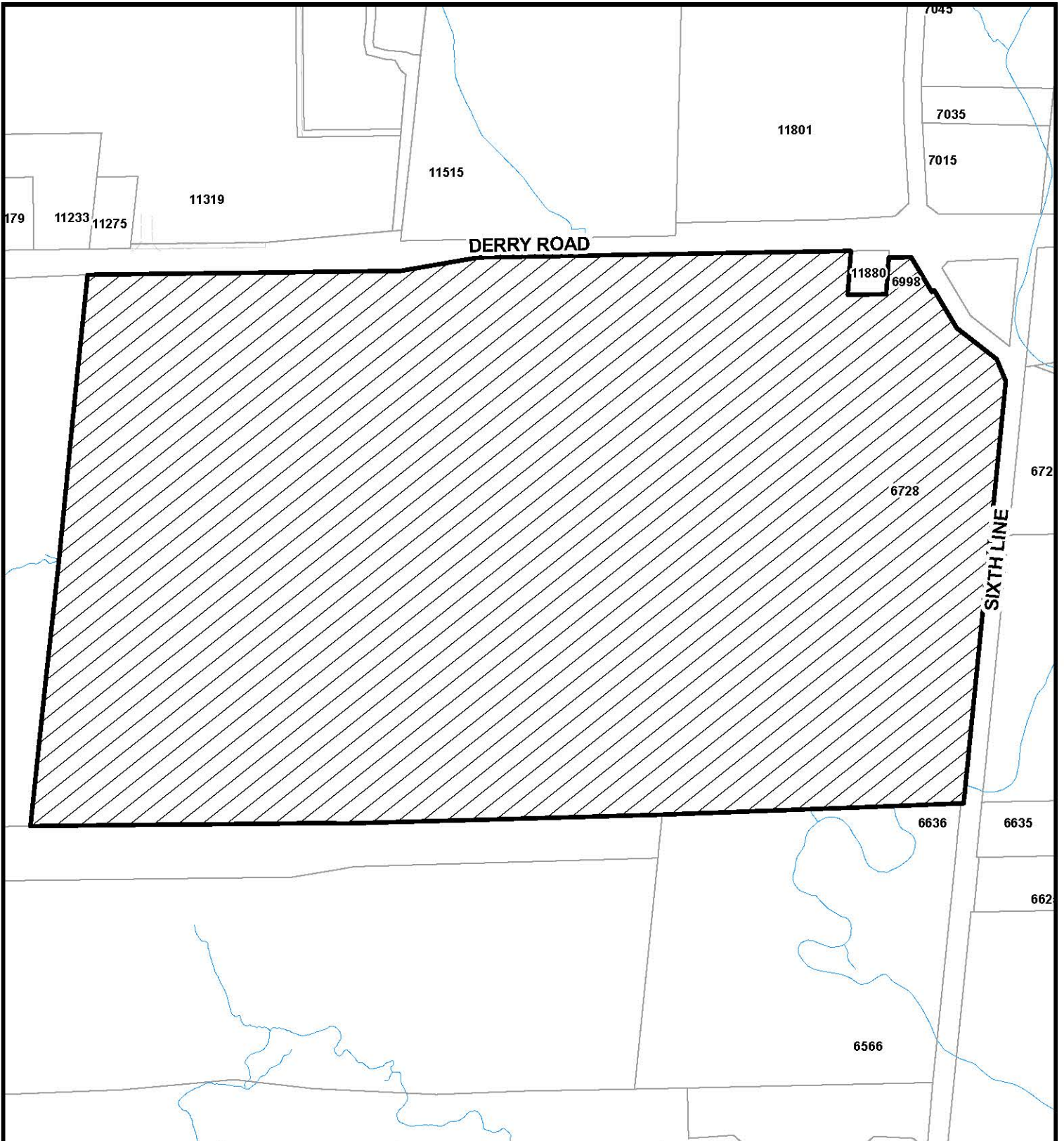
Approved by CAO
Andrew M. Siltala
Chief Administrative Officer



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:
March 25th, 2024

Scale: 1: 5,888

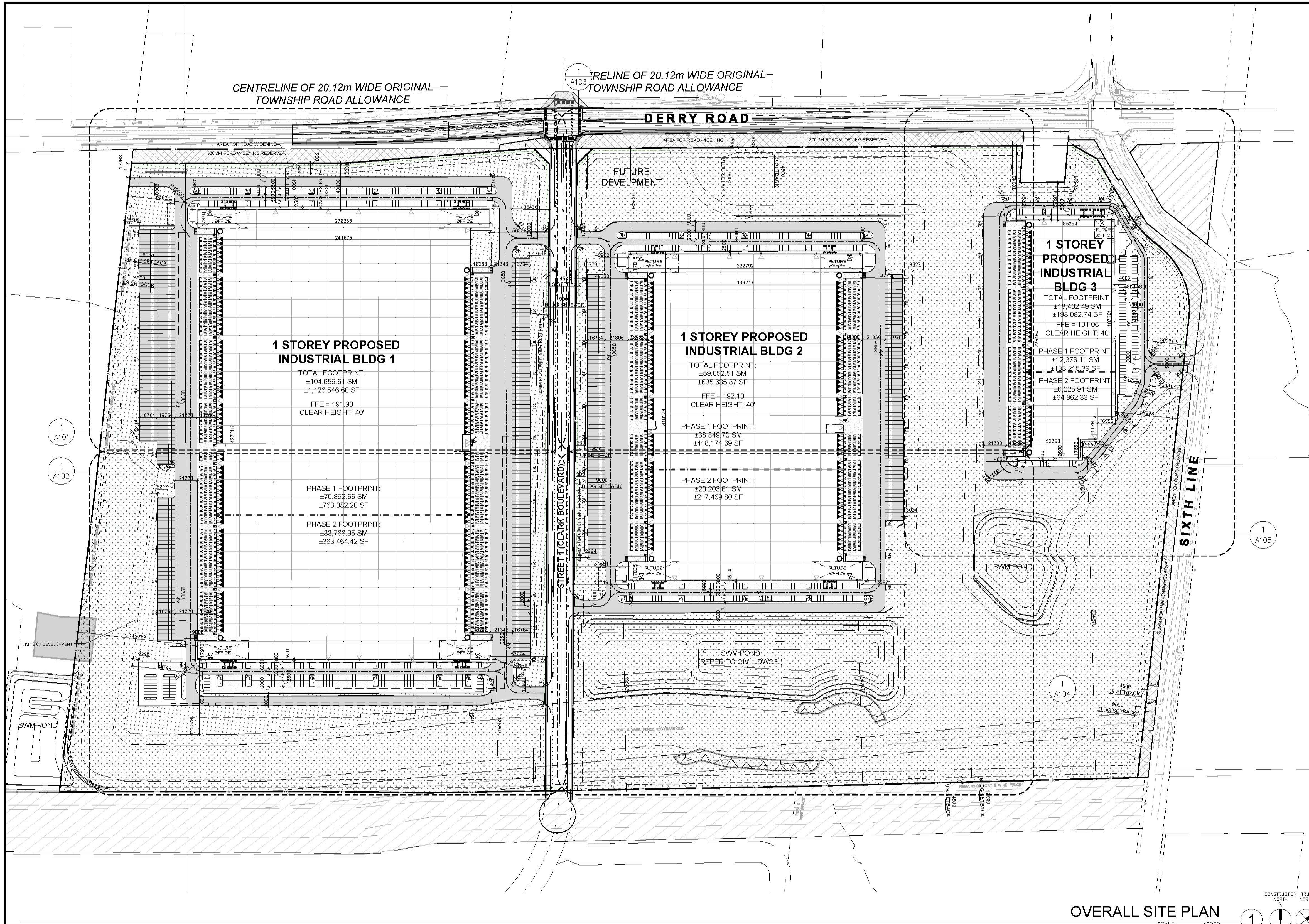
Files: 24T-24001/M, LOPA 01/24,
Z-02/24

Development Services Department



Subject Property
Page 144 of 512

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BLDG 1-Zoning Matrix

Provision	Required (M1 Zone)	Proposed (M1-XX Zone)
Zoning Category	M1 Zone	M1-XX
Lot Frontage (min)	40.0 m	388.53 m
Lot Area (Block 1)	0.80 ha	211,950 m ²
Gross Floor Area	N/A	104,660 m ²
Lot Coverage (with municipal services)	No maximum	49.38%
Front Yard Setback (Min)	9.0 m	43.84 m
Interior Side Yard Setback (Min)	3.0 m	66.63 m
Exterior Side Yard Setback (Min)	9.0 m	53.02 m
Rear Yard Setback (Min)	12.0 m	125.58 m
Landscape Open Space (min)	10%	16.85%
Number of Parking Spaces (min)	572	469
Number of Accessible Parking Space (min)	14	16
Number of Loading Spaces (min)	14	155
Bicycle Parking (min)	17	18
Building Height (max)	15 m	13.716 m

BLDG 2-Zoning Matrix

Provision	Required (M1 Zone)	Proposed (M1-XX Zone)
Zoning Category	M1 Zone	M1-XX
Lot Frontage (min)	40.0 m	69.45
Lot Area (Block 2)	0.80 ha	154,107 m ²
Gross Floor Area	N/A	59,053 m ²
Lot Coverage (with municipal services)	No maximum	38.32%
Front Yard Setback (Min)	9.0 m	100.51 m
Interior Side Yard Setback (Min)	3.0 m	39.97 m
Exterior Side Yard Setback (Min)	9.0 m	49.23 m
Rear Yard Setback (Min)	12.0 m	194.29 m
Landscape Open Space (min)	10%	15.26%
Number of Parking Spaces (min)	344	296
Number of Accessible Parking Space (min)	9	12
Number of Loading Spaces (min)	9	109
Bicycle Parking (min)	10	12
Building Height (max)	15 m	13.716 m

BLDG 3-Zoning Matrix

Provision	Required (M1 Zone)	Proposed (M1-XX Zone)
Zoning Category	M1 Zone	M1-XX
Lot Frontage (min)	40.0 m	96.51m(66.05+30.51)
Lot Area (Block 3)	0.80 ha	60,346 m ²
Gross Floor Area	N/A	18,402 m ²
Lot Coverage (with municipal services)	No maximum	30.49%
Front Yard Setback (Min)	9.0 m	70.34 m
Interior Side Yard Setback (Min)	3.0 m	40.48 m
Exterior Side Yard Setback (Min)	9.0 m	14.18 m
Rear Yard Setback (Min)	12.0 m	304.87 m
Landscape Open Space (min)	10%	39.60%
Number of Parking Spaces (min)	140	132
Number of Accessible Parking Space (min)	6	6
Number of Loading Spaces (min)	5	51
Bicycle Parking (min)	4	4
Building Height (max)	15 m	13.716 m

ZBL Seq.	Minimum ZBL Requirements	Requirement BLD 1 (M1 Zone)	Proposed BLD 1	Requirement BLD 2 (M1-XX Zone)	Proposed BLD 2	Requirement BLD 3 (M1-XX Zone)	Proposed BLD 3	Total Requirement	Total Proposed
N/A	Warehouse Building GFA Approx	N/A	104,660 m ²	N/A	59,053 m ²	N/A	18,402 m ²		
N/A	Office Space GFA (5% of warehouse)	N/A	5,233 m ²	N/A	2,953 m ²	N/A	920 m ²		
	For the first 1,000m ² , 1 parking space per 50m ² of gross floor area For gross floor area between 1,000m ² to 5,000m ² , 1 parking space per 100 m ² of gross floor area Gross floor area greater than 5,000m ² ; 1 parking space of 200m ² of gross floor area (As per section 5.2, 10% deducted from GFA)	520	469	315	296	131	132	966	897
	Number of Accessible Parking Spaces	13	16	9	12	5	6	27	34
	3% of the required parking spaces Loading Spaces	16	18	9	12	4	4	28	34
	3 Loading space +1 additional loading space for each additional 9,300 m ² or fraction thereof in excess of 7,441 m ²	14	155	9	109	5	51	28	315

OVERALL SITE PLAN
SCALE: 1:2000

GENERAL NOTES

- 1 PROPERTY LINE
- 2 2.75m x 5.8m PARKING STALL, PAINTED PARKING STRIPING PER CITY STANDARDS, WITH 6M WIDE DOUBLE LOADED AISLE.
- 3 PRINCIPAL ENTRY - TENANT FIT-UP SUBJECT TO INTERIOR ALTERATION PERMIT
- 4 TYPICAL SHARED ACCESSIBLE PARKING STALLS, PAINTED PARKING STRIPING PER CITY STANDARDS, TO HAVE TYPE A STALLS (3400x5800), TYPE B (2750x5800), OR ONE OF EACH WITH 1500mm PATH STRIP BETWEEN - REFER TO CITY OF MILTON'S ACCESSIBLE PARKING STANDARDS.
- 5 150mm WIDE CURB TYPICAL
- 6 MIN. 1500mm WIDE SIDEWALK TYPICAL U.N.O
- 7 TRAILER PARKING STALL - 12'-0" X 55'-0"
- 8 ACCESSIBLE CURB RAMP AS PER DETAIL
- 9 FIRE DEPARTMENT CONNECTION / SIAMASE
- 10 PROPOSED LOCATION OF TRANSFORMER C/W CONCRETE PAD 1.8m HIGH BLACK VINYL CHAIN LINK FENCING OR APPROVED EQUAL ALONG DEVELOPMENT LIMIT BOUNDARY CONCRETE APRON
- 11 LANDSCAPE AREA - SEE LANDSCAPE DWGS.
- 12 PEDESTRIAN RAIL (1070mm HIGH) SET INTO RETAINING WALL WHERE GRADE CHANGE GREATER THAN 500mm. PROVIDE CONCRETE-FILLED STEEL BOLLARD AT END OF RETAINING WALL - SEE CIVIL DWGS.
- 13 EXTERIOR STEEL STAIRS W/ TUBE STEEL GUARDRAIL, TYP.
- 14 TRUCK LOADING DOCK (TYPICAL)
- 15 LOADING SPACE - L.S. (MIN. 12.0m X 3.5m)
- 16 FIRE ACCESS ROUTE W/ 12M TURNING RADIUS (---)
- 17 PROPOSED ELECTRICAL ROOM
- 20 PROPOSED MECHANICAL ROOM
- 21 CURB RADI AT ENTRANCES WITHIN MUNICIPAL SIDEWALK LIMITS TO CONFORM TO OPSD 350.010. SEE CIVIL DWGS.
- 22 1.8M WIDE PAINTED PEDESTRIAN PATHWAY
- 23 HATCHED AREA DENOTES HEAVY DUTY ASPHALT, TYPICAL FOR ALL AREAS REQUIRING FIRE TRUCK OR TRACTOR TRUCK ACCESS.
- 24 15.0m CENTERLINE RADIUS DISTANCE TO FIRE ACCESS ROAD
- 25 ROAD CURB AND SIDEWALK TO BE CONTINUOUS THROUGH THE DRIVEWAY, DRIVEWAY GRADE TO BE COMPATIBLE WITH EXIST. SIDEWALK AND A CURB DEPRESSION WILL BE PROVIDED FOR AT EACH ENTRANCE.
- 26 INVERTED U-SHAPE GALVANIZED BICYCLE RACKS MIN. 1.8Mx0.6M PER SPACE
- 27 PROPOSED STOP SIGN LOCATION
- 28 PRESSED PATTERNED ASPHALT PEDESTRIAN PATHWAY
- 29 YELLOW PAINTED LINES
- 30 RETAINING WALL
- 31 PRECAST SCREEN WALL TO BE INSTALLED ON TOP OF RETAINING WALL - REFER TO STRUC. DWGS
- 32 PROPOSED FIRE ROUTE SIGN LOCATION
- 33 RESERVED
- 34 PROPOSED AMENITY AREA
- 35 SNOW STORAGE ON SITE AT 2% TOTAL SITE AREA
- 36 PROPOSED CHAIN-LINK FENCE
- 37 CONCRETE/STEEL SAFETY BOLLARD
- 38 SCREEN WALL
- 39 PROPOSED PYLON SIGNAGE
- 40 DRIVE-IN RAMP WITH GALVANIZED GUARDRAIL ON EACH SIDE. SEE CIVIL DWGS FOR SLOPE %
- 41 PROPOSED NOISE WALL
- 42 DETECTIBLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C.
- 43 MIN. 3m WIDE CONCRETE DOLLY PAD AT TRAILER STALLS
- 44 ACCESSIBLE PARKING GRADE SLOPING UP TO MEET PROPOSED CURB LEVEL
- 45 FUTURE SHIPPING OFFICE
- 46 WASTE COLLECTION STAGING AREA, TO BE USED TO TEMPORARILY PLACE BINS FOR GARBAGE COLLECTION

SITE LEGEND

- NEW HEAVY DUTY PAVEMENT (HATCHED)
- LANDSCAPE AREA
- DETECTIBLE TACTILE WARNING SURFACE, CONFORMING TO 2012 O.B.C.
- FIRE ACCESS ROUTE WITH 12.5M TURNING RADIUS
- TRUCK LOADING DOCK DOOR
- KNICK OUT PANEL
- MAIN DOOR ENTRY
- EXIT DOOR LOCATION
- FIRE DEPT CONNECTION (VERIFY LOCATION WITH CIVIL DRAWINGS)
- PROPOSED FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- EXISTING FIRE HYDRANT (VERIFY LOCATION WITH CIVIL DRAWINGS)
- 1500mm WIDE DEPRESSION CURB FOR ACCESSIBLE PARKING AND PEDESTRIAN ACCESS - REFER TO DETAIL 4/A1.2
- PROPOSED CATCH-BASIN
- MH DENOTES MANHOLE
- MHP/HP EXISTING HYDRO POLE
- CP PAINTED CARPOOL PARKING SPACE SYMBOL
- BFPS BARRIER FREE PARKING SIGN
- BFPSV BARRIER FREE PARKING SIGN WITH VAN TAG
- DI DRIVE-IN DOOR
- DSTOP NEW STOP SIGN
- N.F.R. NEW FIRE ROUTE SIGN
- G.M. GAS METER & PRESSURE REGULATING STATION BY GAS COMPANY
- LF LIGHT FIXTURES, REFER ELECTRICAL DWG FOR DETAILS
- LP LIGHT POLES, REFER ELECTRICAL DWG FOR DETAILS
- E.V. PROPOSED ELECTRIC VEHICLE CHARGING STATIONS



WARE MALCOMB
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P: 905.760.1221



anatolia
TILE & STONE

**6728 SIXTH LINE,
MILTON**
6728 SIXTH LINE
MILTON, ONTARIO L9T 2Y3

OVERALL SITE PLAN

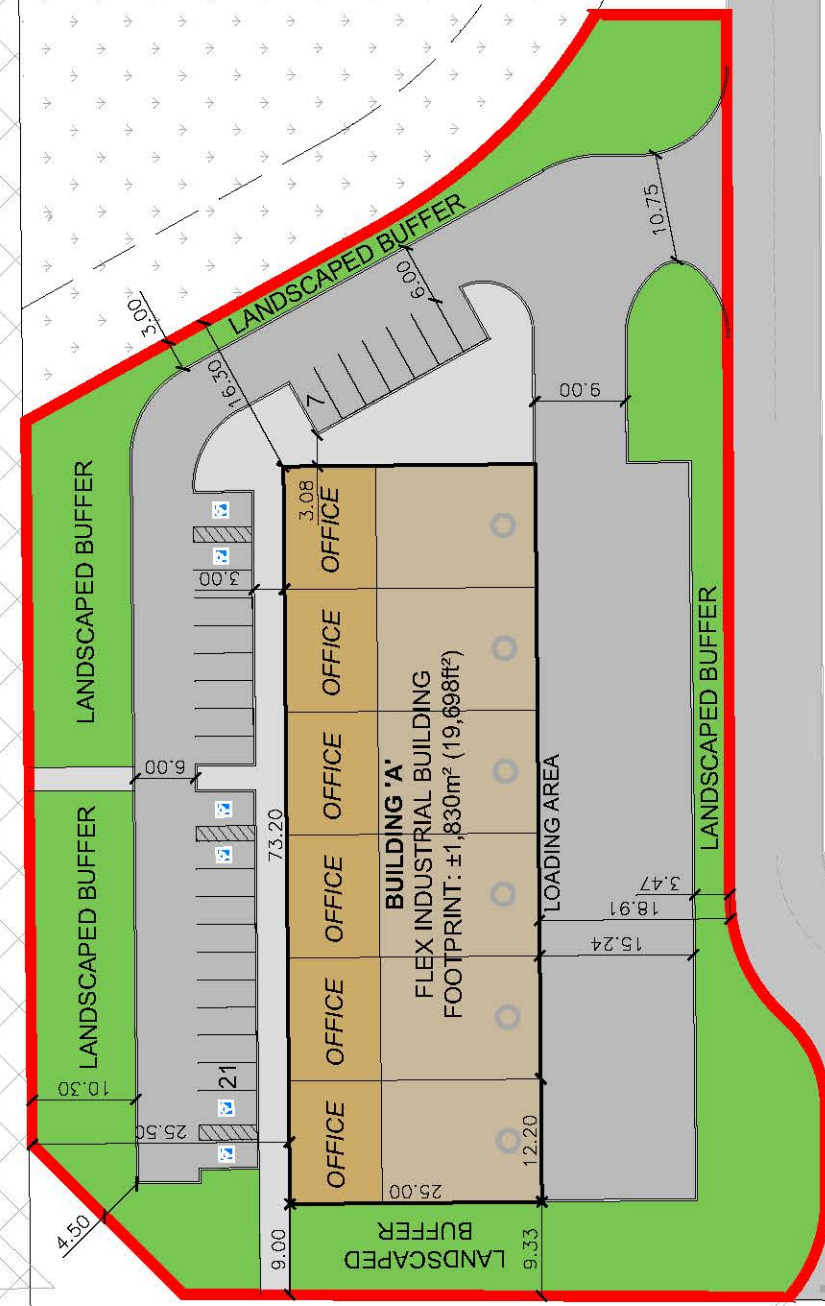
DATE	ISSUED FOR	REMARKS
2024-01-11	ISSUED FOR SPA	

PA / PM: C.R.
DRAWN BY: HW
JOB NO.: TOR21-0016-01

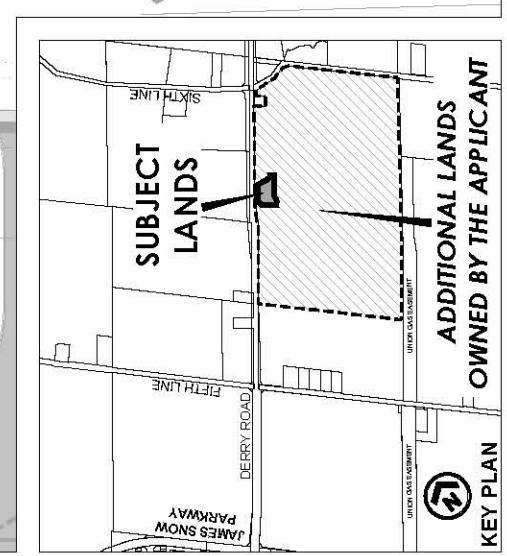
SHEET
A100

DERRY ROAD

206.51



STREET 'A' (CLARK BOULEVARD)

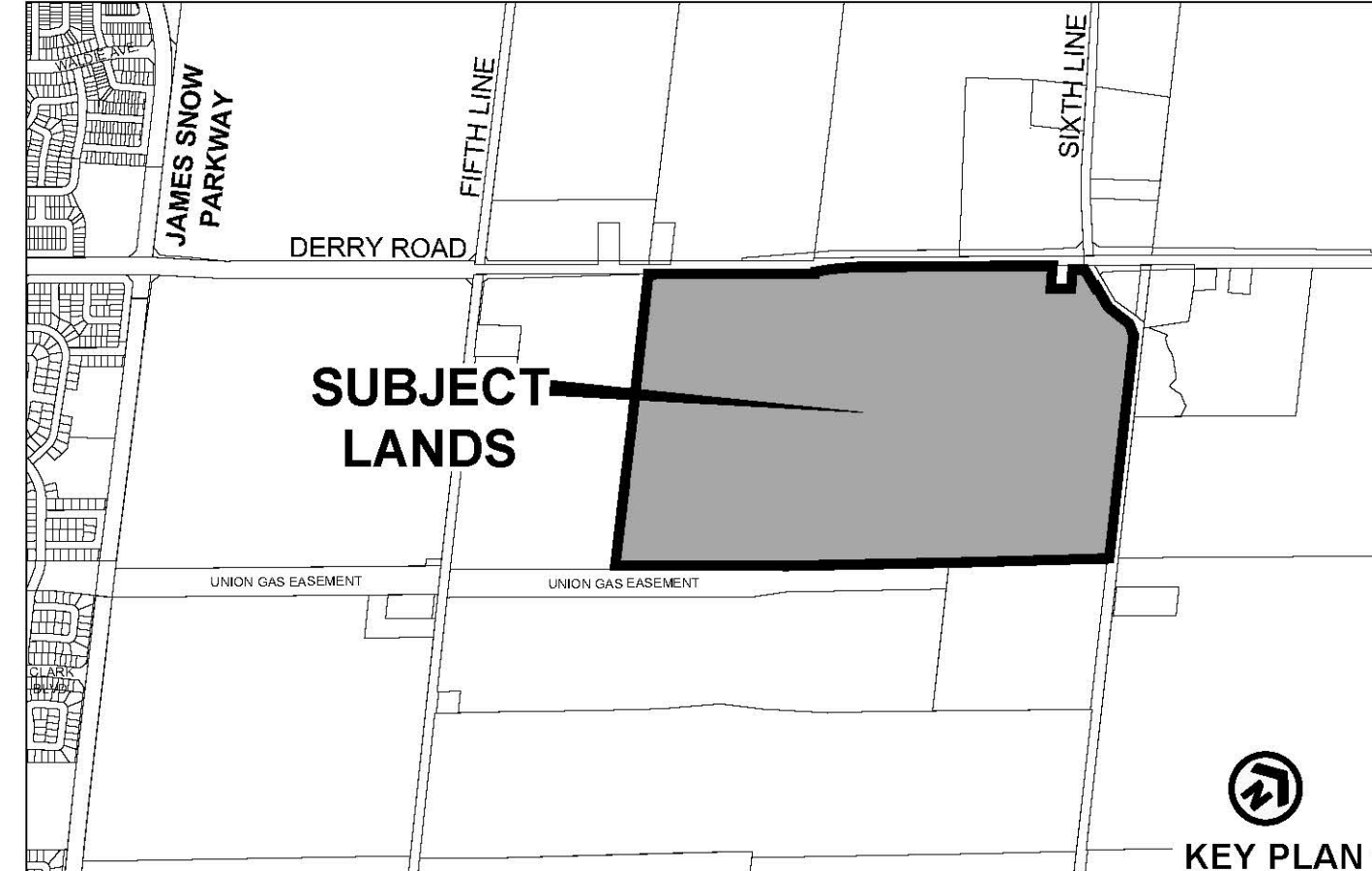
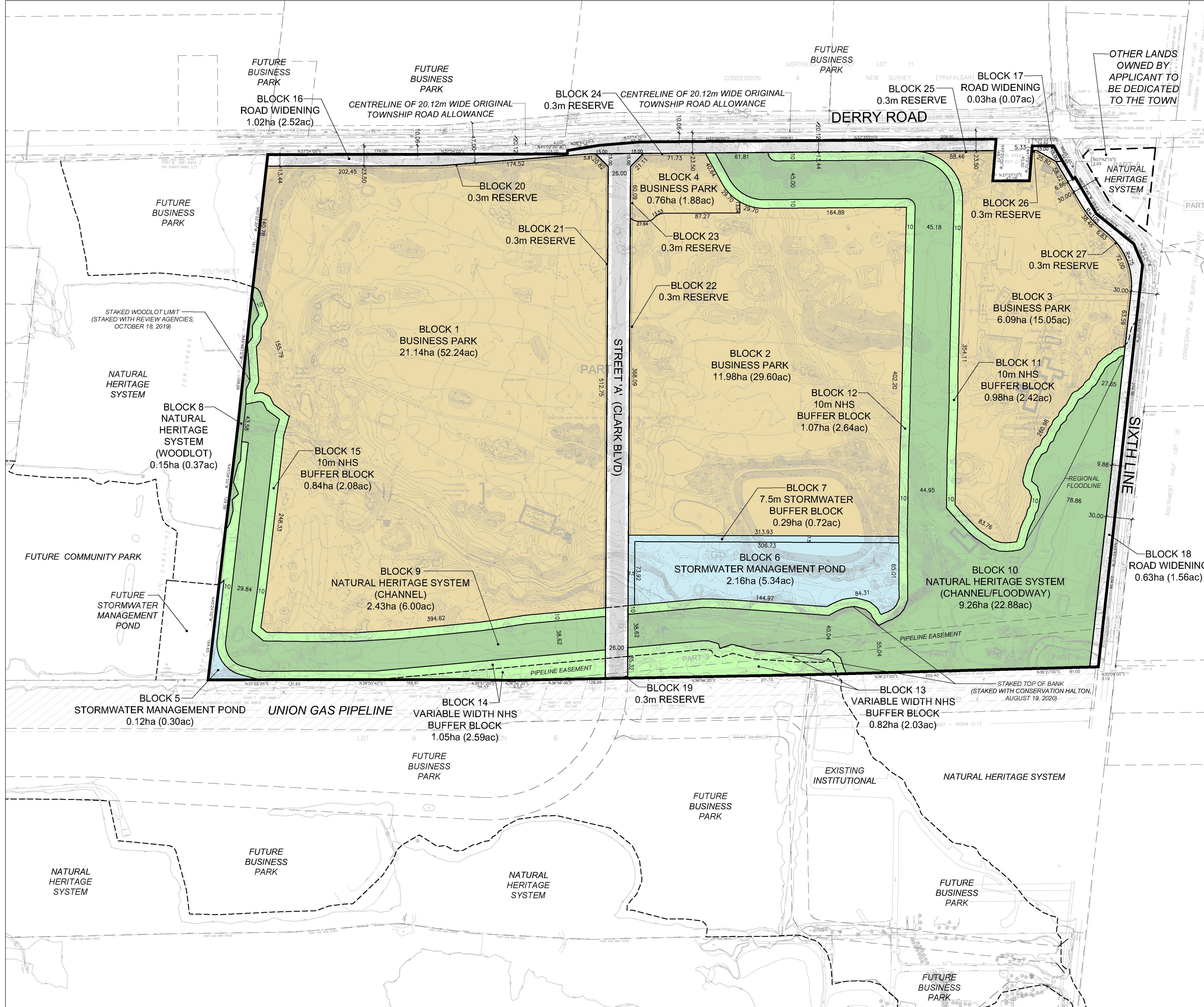


PROJECT STATISTICS - ZONING REQUIREMENTS: M1 - SPECIAL SECTION		
SITE STATISTICS - BUSINESS PARK	REQUIRED	PROVIDED
MIN. LOT FRONTAGE	40.0m	71.7m
MIN. LOT AREA	0.80ha	0.7638ha
MIN. FRONT YARD SETBACK	9.0m	25.5m
MIN. INTERIOR SIDE YARD SETBACK	3.0m	16.3m
MIN. EXTERIOR SIDE YARD SETBACK	9.0m	9.0m
MIN. REAR YARD SETBACK	12.0m	18.9m
MAX. BUILDING HEIGHT	15.0m	10.0m
MIN. LANDSCAPED OPEN SPACE	10%	31.6%
MIN. LANDSCAPED BUFFER ABUTTING A STREET	4.5m	10.3m
PARKING STATISTICS		
PARKING RATE: 1 SPACE PER 223m² GFA	REQUIRED	PROVIDED
TOTAL PARKING	9 SPACES	28 SPACES
TOTAL ACCESSIBLE SPACES	1 SPACE	6 SPACE
TOTAL LOADING SPACES	1 SPACE	6 SPACES

SITE CONCEPT PLAN

ANATOLIA INVESTMENTS CORP.

PART OF LOT 10, CONCESSION 6, NEW SURVEY
TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON



DRAFT PLAN OF SUBDIVISION ANATOLIA INVESTMENTS CORP. FILE # 24T-24001/M

PART OF LOT 10, CONCESSION 6, NEW SURVEY
TOWN OF MILTON,
REGIONAL MUNICIPALITY OF HALTON

OWNERS CERTIFICATE
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED: *B. Elmaagacli* DATE: NOVEMBER 28, 2023
BEKIR ELMAAGACLI
ANATOLIA INVESTMENTS CORP.

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED: *Robert D. McConnell* DATE: NOVEMBER 11, 2022
ROBERT D. MCCONNELL
ONTARIO LAND SURVEYOR

ADDITIONAL INFORMATION
(UNDER SECTION 51(17) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G, J & L ARE SHOWN ON THE DRAFT AND KEY PLANS.

H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
I) CLAY SILT, SAND, GRAVEL
K) SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

LAND USE	BLOCKS	AREA (ha)	AREA (ac)
BUSINESS PARK	1-4	39.97	98.77
STORMWATER MANAGEMENT POND	5, 6	2.28	5.63
STORMWATER MANAGEMENT POND BUFFER	7	0.29	0.72
NATURAL HERITAGE SYSTEM (NHS)	8-10	11.84	29.26
NATURAL HERITAGE SYSTEM BUFFERS	11-15	4.76	11.76
ROAD WIDENINGS	16-18	1.68	4.15
0.3m RESERVES	19-27	0.06	0.15
26.0m COLLECTOR R.O.W. (610m LENGTH)		1.61	3.98
TOTAL	27	62.49	154.42

NOTES
- COLLECTOR TO ARTERIAL DAYLIGHT TRIANGLE = 15m x 15m
- PAVEMENT ILLUSTRATION IS DIAGRAMMATIC

AMENDMENT NUMBER XX
TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

Part of Lot 10, Concession 6 NS (Trafalgar)
6728 Sixth Line
Town of Milton
(Town File: LOPA-XX/22)

DRAFT

AMENDMENT NUMBER XX

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 **THE PREAMBLE, does not constitute part of this Amendment**

PART 2 **THE AMENDMENT, consisting of the following text constitutes
Amendment No. XX to the Official Plan of the Town of Milton**

DRAFT

PART I: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. XX
To the Official Plan of the Town of Milton

6728 Sixth Line
Part of Lot 10, Concession 6 New Survey (Trafalgar)
(Town of Milton)
(LOPA XX/22)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to add Specific Policy Area XX to the lands municipally identified as 6728 Sixth Line and legally described as Part of Lot 10, Concession 6 NS (Trafalgar).

LOCATION OF THE AMENDMENT

The subject lands are located on the south side of Derry Road, on the west side of Sixth Line, and east of Fifth Line. The lands are municipally identified as 6728 Sixth Line and are legally described as Part of Lot 10, Concession 6 NS (Trafalgar), Town of Milton.

BASIS OF THE AMENDMENT

The proposed amendment to the Derry Green Corporate Business Park Secondary Plan would permit the development of three industrial buildings with frontage onto Derry Road, within the Street Oriented Business Park overlay.

The LOPA is needed to allow surface parking between buildings and along Derry Road. This is essential for optimizing operational efficiency. The thorough design of the proposed buildings upholds urban design principles, ensuring a commanding and aesthetically pleasing street presence.

Furthermore, the deliberate emphasis on appropriate streetscaping along Derry Road extends beyond functional considerations, aiming to integrate seamlessly with the surrounding urban context and elevate the overall visual and experiential qualities of the public realm. The LOPA seeks to facilitate limited surface parking between buildings and along Derry Road, reflecting a comprehensive approach that balances functionality, and urban design principles.

PART II: THE AMENDMENT

All of this part of the document entitled Part II: THE AMENDMENT consisting of the following text constitutes Amendment no. to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Official Plan of the Town of Milton is hereby amended by Official Plan Amendment No. XX pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Change

- 1.1 Amending Schedule I1 – “Urban Area Specific Policy Areas” by adding Special Policy Area No. XX to the lands at 6728 Sixth Line (known legally as Part of Lot 10, Concession 6 NS (Trafalgar)).

2.0 Text Change

- 2.1 Adding the following text to Section 4.11 “Specific Policy Area”:

4.11.3.XX The land identified as Specific Policy Area No. XX on Schedule I1 of this Plan, being the lands at 6728 Sixth Line are permitted to allow surface parking between the building and the street, within the Street Oriented Business Park overlay designation on the south side of Derry Road between Fifth and Sixth Line, at lands located at 6728 Sixth Line.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XX.2024

BEING A BY-LAW OF THE TOWN OF MILTON TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTION 17 OF THE PLANNING ACT, AS AMENDED, IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 6728 SIXTH LINE, LEGALLY DESCRIBED AS PART OF LOT 10, CONCESSION 6, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON (FILE NO. LOPA XX/22)

The Council of the corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. XX to the Official Plan of the Town of Milton, to amend Schedules I1 of the Town of Milton Official Plan to provide for permission to allow parking between Derry Road and buildings, within the Street Oriented Area overlay, at lands located at 6728 Sixth Line and legally described as part of Lot 10, Concession 6, Former Geographic Survey of Trafalgar, Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number XX to the Official Plan of the Town of Milton.

**READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED this ** day of
*****, 2024**

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 10, CONCESSION 6, NEW SURVEY, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON, MUNICIPALLY KNOWN AS 6728 SIXTH LINE (ANATOLIA GROUP) – TOWN FILE Z-XX/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 repeal Comprehensive Zoning By-law 144-2003 on the subject lands;

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 is hereby further amended by changing the existing ‘Golf Course Zone (GC)’ and ‘Natural Heritage System (NHS)’ Zone symbols to ‘Business Park’ (M1) Zones, site-specific ‘Business Park’ (M1*XXX) Zone, ‘Open Space-2’ (OS-2) Zone and ‘NHS’ Zone symbol shown on Schedule ‘A’ attached hereto.
- 2. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsections 13.1.1.AAA and 13.1.1.BBB as follows:

Business Park – Special Section (M1*XXX) Zone

i) Special Site Provisions:

- a) Notwithstanding the non-residential parking requirements as set out in Section 5.8.2 (ii), Table 5G to the contrary, parking spaces at a rate of 1 space per 223 m² of Gross Floor Area (GFA), shall be provided on site for the following uses:
 - i. Industrial warehouse/distribution centre; and
 - ii. Accessory Office.
- b) Notwithstanding the zoning standards as set out in Section 8.2, Table 8B to the contrary, lot area minimum shall be 0.76 ha.

- 3. **THAT** Schedule A to Comprehensive Zoning By-law 144-2003 applicable to these lands are hereby repealed and included in Comprehensive By-law 016-2014 shown on Schedule ‘A’ attached hereto.
- 4. **THAT** 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 Local Planning Appeal Tribunal dismisses the appeal, this by-law shall come into force on the day of the passing. If the Local Planning Appeal 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.

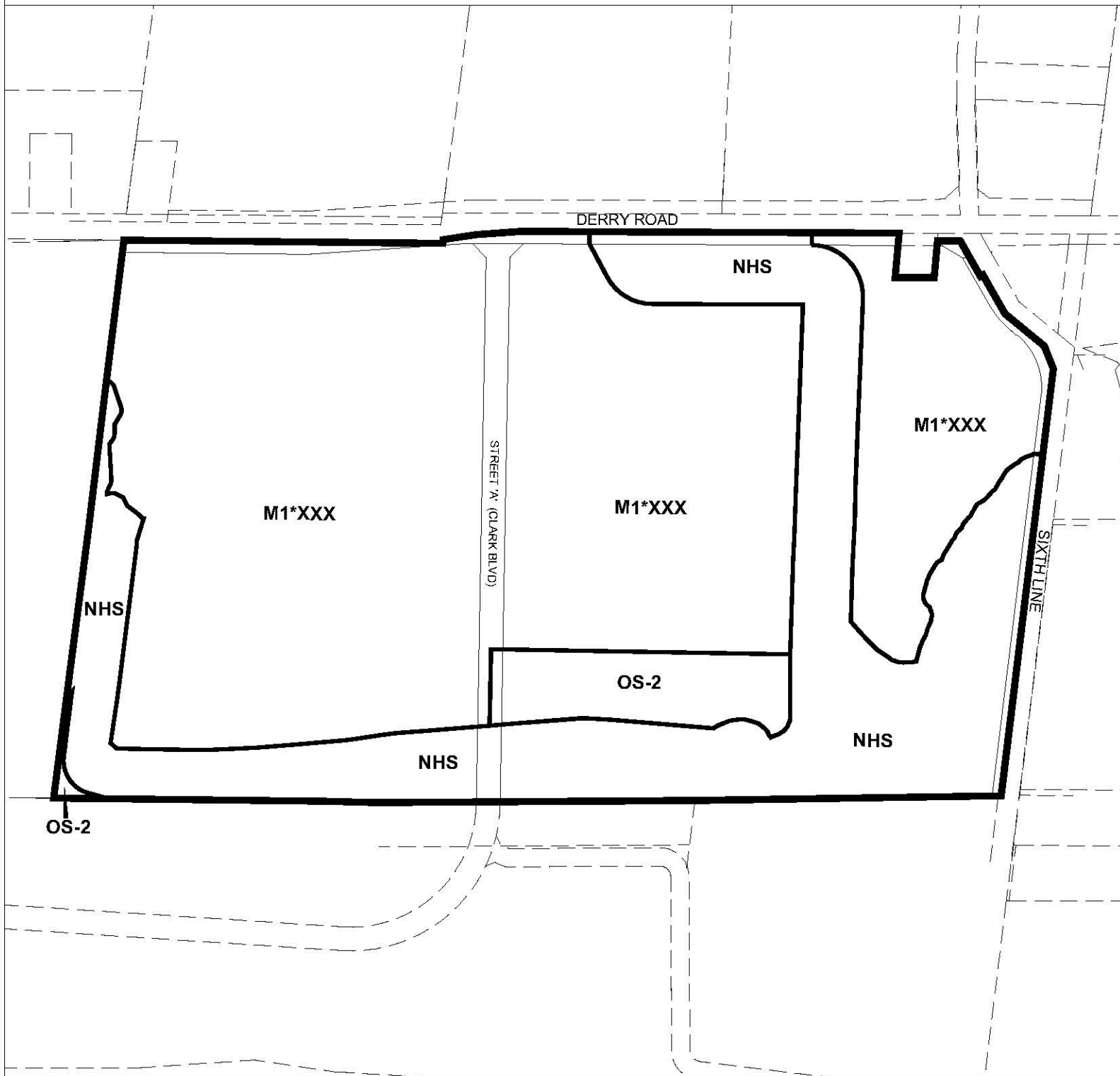
READ A FIRST, SECOND AND THIRD TIME and FINALLY PASSED this ** day of ***, 2024**

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

SCHEDULE 'A'
TO BY-LAW No. 016 - 2014
TOWN OF MILTON

PART OF LOT 10, CONCESSION 6, NEW SURVEY
TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON



THIS IS SCHEDULE A
TO BY-LAW No. 016 - 2014

REZONED FROM GOLF COURSE ZONE (GC) AND
NATURAL HERITAGE SYSTEM (NHS)

TO:

'M1*XXX' - BUSINESS PARK ZONE

'NHS' - NATURAL HERITAGE SYSTEM

'OS-2' - OPEN SPACE - STORM WATER MANAGEMENT

MAYOR

CLERK





The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-018-24

Subject: Update Report: Reid Road Reservoir Quarry - Aggregate Resources Act Licence Application and the Environmental Assessment Process (James Dick Construction Limited).

Recommendation: THAT Development Services Report DS-018-24 Update Report: Reid Road Reservoir Quarry - Aggregate Resources Act Licence Application and the Environmental Assessment Process (James Dick Construction Limited) BE RECEIVED for information.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an update on the Aggregate Resources Act licence application (ARA application) for the Reid Road Reservoir Quarry, submitted by James Dick Construction Limited (JDCL), and the Environmental Assessment currently being undertaken for the proposed quarry.

The Town of Milton, Halton Region and Conservation Halton remain as Objectors to the ARA application. In addition, it should be noted that the Premier of Ontario, the Honourable Doug Ford and former Milton Member of Provincial Parliament (MPP) Parm Gill (resigned January 2024) have also voiced their objection to the proposed quarry.

In July 2021, the Province released Ontario Regulation 539/21 (O.Reg 539/21) requiring JDCL to undertake a scoped Environmental Assessment for the proposed quarry. The Environmental Assessment is currently underway and Town staff has been participating on the Government Review Team (through the Joint Agency Review Team) as a commenting party. In the meantime, the processing of the ARA application is on hold until the Environmental Assessment is complete.

In coordination with staff from Halton Region and Conservation Halton, the Town has been participating on a Joint Agency Review Team for the ARA application review process. The Town of Milton has filed two Letters of Objection to the Ministry of Natural Resources and

EXECUTIVE SUMMARY

Forestry and the applicant (September 2018 and July 2019). Halton Region and Conservation Halton submitted separate Letters of Objection as well. These letters state that the application has failed to address matters listed in section 12(1) of the ARA and the application in its current state does not constitute good planning and is not in the public interest.

Staff recommends that the Town continue to participate on the Government Review Team (through the Joint Agency Review Team) for the Environmental Assessment process. Once the ARA application process is reinitiated, staff also recommends that the Town continue to participate on the Joint Agency Review Team on future submissions related to the ARA application.

REPORT

Background

ARA Application and the Town's Role

In August 2018, James Dick Construction Limited (JDCL) applied for a licence under the Aggregate Resources Act (ARA) to the Ministry of Natural Resources and Forestry (MNR) to establish a new quarry at the western terminus of Reid Side Road in the Town of Milton. Figure 1 to this Report shows the location of the proposed Reid Road Reservoir Quarry (proposed quarry). The ARA application includes an area of approximately 29.4 hectares (73 acres) of land with an extraction area for sand, gravel and bedrock of approximately 25.7 hectares (63.5 acres). Aggregate recycling is also proposed on the subject lands. The maximum annual tonnage amounts to approximately 990,000 tonnes.

No corresponding Planning Act applications have been filed with Halton Region or the Town of Milton. As a result, the Town of Milton is only a commenting agency to the MNR and Town Council is not the approval authority. Halton Region retained consultants in a variety of fields and have led the technical review of the ARA application through the Joint Agency Review Team (JART) framework, which includes staff from Halton Region, Conservation Halton and the Town of Milton. JART has completed a review of two submissions from JDCL on the ARA application.

In accordance with the ARA requirements, the Town of Milton issued its initial Letter of Objection to JDCL and the MNR in September 2018. This letter outlined the Town's concerns with the ARA application as submitted by JDCL. On December 11, 2018, JDCL

Background

issued a response letter to the Town's Letter of Objection as required in the ARA. In April 2019, JDCL requested that all objectors either confirm in writing that their objection has been resolved through their individual discussions with JDCL or alternatively that they would like to maintain their objection as their concerns had not been addressed to their satisfaction. On May 15, 2019, the Town of Milton issued another Letter of Objection reconfirming to the MNR and JDCL that the Town continued to object to the application and that the Town's issues with the ARA application had not been resolved. Halton Region and Conservation Halton also separately submitted objections to the ARA application, in accordance with the ARA requirements.

Environmental Assessment Background

On July 25, 2019, previous Member of Provincial Parliament for Milton, Parm Gill, formally requested that the Minister of the Environment, Conservation and Parks (MECP) undertake an Environmental Assessment (EA) of the proposed quarry. Both the Town of Milton and Halton Region Councils supported the request and directed staff to facilitate the EA, if granted by the MECP.

On January 29, 2021, the MECP posted a proposed Regulation on the Environmental Registry of Ontario (ERO) (#019-2876) for the proposed quarry to be subject to a project-specific EA under the Environmental Assessment Act. On March 11, 2021, Halton Region, the Town of Milton and Conservation Halton submitted a joint response to the ERO with recommendations on the scope and requirements for the proposed EA.

On July 30, 2021, the MECP released Ontario Regulation 539/21 (O.Reg 539/21) requiring JDCL to undertake a scoped EA for the proposed quarry. O.Reg 539/21 established the scope of additional studies, review and approvals to be facilitated by the MECP. The MECP invited the Town of Milton, Halton Region and Conservation Halton to participate on a Government Review Team to provide comments and input on technical information submitted by JDCL through the EA process. However, like all other EA processes, the ultimate approval of the EA resides with the MECP.

In response to O.Reg 539/21, the MNR confirmed that the processing of the ARA application is on hold until the EA process is completed.

Government Review Team

As noted above, shortly after O.Reg 539/21 was released, the MECP contacted staff at Halton Region advising that the Ministry would be working with the proponent to identify a

Background

Government Review Team for the EA process. The MECP invited staff from Halton Region, the Town of Milton and Conservation Halton (members of JART) to participate on the Government Review Team.

The MECP's Code of Practice for Consultation defines the role of the Government Review Team and the responsibilities are as follows:

1. To provide information and guidance, within their mandated areas of responsibility, that the proponent should consider as part of the decision-making process (e.g. legislative requirements, policies, standards, studies and potential evaluation criteria);
2. To provide consistent advice throughout the course of the planning and decision-making process, or provide relevant reasons if their position changes;
3. To suggest modifications to the proposal and documentation that may address concerns;
4. To participate in the MECP review of submissions made for the proposed terms of reference and the EA;
5. To provide comments to the MECP within the specified or regulated timelines for the review of the proposed terms of reference and the EA documentation; and,
6. To identify and confirm environmental effects related to their mandate.

Environmental Assessment Scope and Process

The O.Reg 539/21 establishes the requirements and process for the scoped EA. In this regard, O.Reg 539/21 directs JCDL to undertake the following:

1. Community and Indigenous consultation;
2. Minimum of three (3) public information meetings;
3. Creation of a public project website;
4. Evaluation of alternative methods, including alternative design methods to underwater blasting and alternative haul routes;
5. Requirement for specific studies pertaining to groundwater, including door-to-door well survey program, water quality monitoring program and assessment of effect on groundwater from blasting below the water table as well as any other hydrogeological studies that may be identified by the Director of the Ministry's EA branch; and,
6. Evaluation of the advantages and disadvantages of the proposal, including an assessment of cumulative effects.

The above-noted requirements are to be carried out in the following stages:

Background

1. Notice of Commencement;
2. Development of criteria and indicators to evaluate effects of the proposal and alternative methods to carry out the proposal;
3. Creation of a work plan for the respective studies;
4. Preparation of the draft EA;
5. Notice of publication of the draft EA; and,
6. Submission of the EA for Ministry review.

Unless specified in O.Reg 539/21, the remaining provisions of the Environmental Assessment Act apply to EA for the proposed quarry including Ministry consultation on the EA, a published Ministry Review and ultimately a decision by the Minister, subject to the approval of the Lieutenant Governor in Council.

Discussion

Update and Status of the Environmental Assessment

On October 16, 2023, the Town of Milton received a Notice of Commencement of Environmental Assessment for the proposed quarry. In accordance with O.Reg 539/21, JDCL mailed the Notice of Commencement to every assessed landowner within 500 metres of the proposed quarry, every assessed landowner within the EA study area (established by the MECP), every assessed landowner along any haul route related to the project, the Director of the Ministry's Environmental Branch and Central Region office, indigenous communities identified by the Director of Ministry's Environmental Branch and any other person that may be interested in the project.

Figure 2 to this Report includes the study area for the Environmental Assessment.

In addition to the above, JDCL posted the Notice of Commencement on their required public project website. The Town of Milton also updated its webpage for the Reid Road Reservoir Quarry to include the Notice of Commencement of the EA for the proposed quarry.

On November 17, 2023, JDCL provided Notice of the first Public Information Meeting (PIM) to the Town of Milton, all landowners within the study area and also emailed those who signed up to be on the project mailing list. On November 22, 2023, JDCL published an advertisement of the PIM in the Milton Champion newspaper as well. The Notice indicated

Discussion

that the purpose of the first PIM is to seek feedback on the preliminary evaluation criteria and indicators to evaluate alternative methods of operation and alternative haul routes.

The preliminary evaluation criteria and indicators package noted that the EA has been designed to be able to use information developed as part of the ARA application in the assessment of alternative methods of operation and alternative haul routes. In this regard, the package takes into account technical work and assessments completed through the ARA application. The package further notes that the level of evaluation criteria and indicators for each discipline is based on anticipated potential for effects, the level of information available regarding the effect potential and the areas of concern to interested persons identified through previous consultation activities.

On December 6, 2023, JDCL hosted a virtual Public Information Meeting (virtual PIM). The purpose of the PIM was to introduce the proposed quarry, provide an overview of the EA process and seek feedback on the preliminary evaluation criteria and indicators package. A facilitator led the virtual PIM and indicated that over 100 attendees logged onto the virtual PIM. Staff from the Town of Milton were amongst the attendees at the virtual PIM. JDCL and its consultant team delivered a presentation with information on the proposed quarry and provided an overview of the background and process for the EA, an explanation of the study area, a description of future meetings, as well as an outline of the project website and contact information to provide input following the meeting.

There were many questions and concerns raised by attendees at the virtual PIM. The questions raised were with respect to the study area, consultation timing and format, details related to the operation of the proposed quarry and regarding the approval authority/process for the EA. Concerns were also raised with respect to groundwater and surface water, traffic and safety, blasting and vibration, noise and economic impacts. In closing, the consulting team referred attendees to their project website (Frequently Asked Questions webpage) to access additional information on the proposed quarry and EA process and highlighted the January 17, 2024 deadline to provide comments on the preliminary evaluation criteria and indicators.

In response to the above request for comments, JART circulated the preliminary evaluation criteria and indicators package to respective internal staff departments as well as to various consultants retained by Halton Region. JART identified a number of concerns with the proposed data sources to be used in the EA process. For a number of categories, JDCL had previously prepared and submitted updated and/or addendum reports as part of the ARA application that were not included as proposed data sources. In addition, the proposed data

Discussion

sources consist of mostly technical work that was completed in support of the ARA application and it was not clear to JART how those reports would be used to evaluate alternative methods of operation required for the EA. The study areas used in the initial reports was also smaller than the study area for the EA. In this regard, JART is seeking regarding the data that will be used to evaluate alternatives in areas that have not been previously studied.

Appendix 1 to this Report includes JARTs submission to the MECP and JDCL on the preliminary evaluation criteria and indicators package.

Next Steps

As a next step, JDCL will be preparing work plans for the respective studies required for the EA. Once complete, JDCL will circulate the materials in the same manner as described previously and provide notice of the next Public Information Meeting.

Town staff will continue to work with JART partners as part of the Government Review Team providing comments to the Ministry of Environment, Conservation and Parks on the Environmental Assessment process for the proposed Reid Road Reservoir Quarry.

Financial Impact

None arising from this Report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

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



Attachments

Figure 1 - Location Map

Figure 2 - Study Area for the Environmental Assessment

Appendix 1 - JART Response to the MECP, dated January 17, 2024

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.

Reid Road Reservoir Quarry Location Map



Legend



-  Proposed Quarry License Boundary
-  Milton Boundary

Figure 1 - Location Map

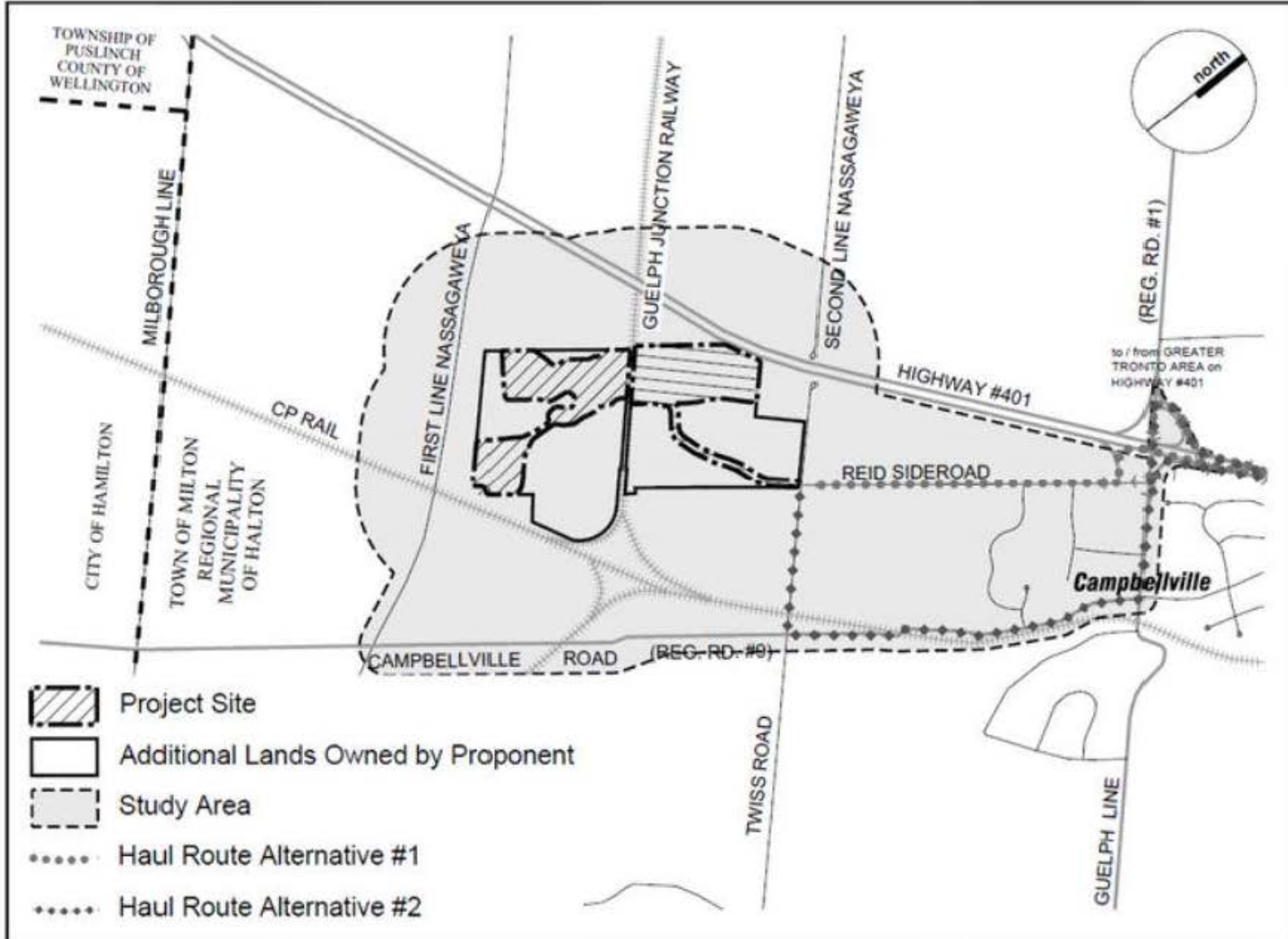


Figure 2 - Study Area for the Environmental Assessment

Figure 2: Environmental Assessment Study Area (source: JDCL)



The Reid Road Reservoir Quarry Joint Agency Review Team (JART) has reviewed the Environmental Assessment Preliminary Evaluation Criteria and Indicators submitted by James Dick Construction Ltd (JDCL) and provides the following comments:

General comments

1. For a number of categories, updated or addendum reports have been prepared and submitted by JDCL to the agencies, however these are not reflected in the proposed data sources columns. Suggest that the data source column be updated to identify all original reports, updates and/or addendums.
2. Further to the above, the proposed data sources consist mostly of technical work that's already been done in support of the proposal. These reports evaluate what is proposed, not alternative methods that were not proposed. It's therefore unclear how they can be used as data sources to evaluate alternative methods of operation, without additional technical work being done to look at the impacts of those alternatives.
3. Generally, it is also recognized that the Study Area for the EA is much larger than the study area that was included in the existing technical studies. Clarification is required regarding data that will be used to evaluate alternatives in areas that have not been studied and/or visited by the proponent.
4. It is stated in the overview section that 'Preliminary Evaluation Criteria and Indicators have been developed for the assessment of potential effects of the two (2) Alternative Design Methods and the two (2) Alternative Haul Road Options'. It would be useful to describe the two (2) Alternative Design Methods and two (2) Haul Road Options identified.
5. It is recommended that a criterion for long term, post-rehabilitation effects be added.

In addition to the above general comments, a column has been added below to Table 1 from the Preliminary Criteria and Indicators Package submitted by JDCL to provide criteria-specific JART comments and recommended updates to the Rationale, Indicators and Proposed Data Sources Columns in the table:

Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
Natural Environment				
Atmospheric Environment				
Air Quality O.Reg. 539/21 Section 7(2)(d)	Quarry operations and haul routes can emit contaminants that can degrade air quality and lead to increased levels of particulates (dust) in the air.	<ul style="list-style-type: none"> • Predicted airborne contaminant and emission levels at sensitive receptors resulting from quarry operations • Predicted airborne contaminant and emission levels at sensitive receptors resulting from truck traffic along the haul route 	<ul style="list-style-type: none"> • Reid Road Reservoir Quarry Air Quality Assessment (RWDI, 2018) prepared for ARA application • MECP data (e.g., meteorological and terrain) • Applicable MECP guidelines, technical standards and accepted models 	<ol style="list-style-type: none"> 1. Update the Indicators to include the underlined: <ul style="list-style-type: none"> • Number of off-site identified receptors potentially affected (e.g., residential properties, public facilities, businesses/ farms, institutions <u>and vacant lots zoned for sensitive uses</u>). 2. Update Proposed Data Sources to include: <ul style="list-style-type: none"> • Addendum to Air Quality Assessment (RWDI, February 5, 2020) and Best Management Practices Plan for Dust (RWDI, September 22, 2020).



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		<ul style="list-style-type: none"> • Frequency of potential airborne contaminant and emission effects at identified receptors • Number of off-site identified receptors potentially affected (e.g., residential properties, public facilities, businesses/farms, institutions) 	<p>(e.g., O. Reg. 419/05)</p> <ul style="list-style-type: none"> • Related evaluation criteria identified in other disciplines (e.g., traffic data, off-site receptors) 	
Noise	<p>Quarry operations and haul routes can result in an increase in noise levels in the surrounding area (e.g., truck traffic, blasting, heavy equipment on-site).</p>	<ul style="list-style-type: none"> • Predicted site-related noise levels (measured in dBA or dBAI), including blasting-related noise levels • Change in sound levels (dB) • Changes in noise levels at sensitive receptors within study area from quarry operations, including noise from blasting • Changes in noise levels at sensitive receptors within study area from truck traffic on haul routes • Frequency of potential noise 	<ul style="list-style-type: none"> • Reid Road Reservoir Quarry Noise Impact Assessment (Aercoustics, 2017) prepared for ARA application • Manufacturer noise specifications • Applicable MECP guidelines, technical standards and models (e.g., NPC-300) • Related evaluation criteria identified in other disciplines (e.g., traffic data, off-site receptors) 	<ol style="list-style-type: none"> 3. Processing plants (crushing, screening and washing) are proposed on Phase 5 area of site plan. Noise associated with this component could result in an increase in noise levels in the area. Update the Rationale to identify processing plant as one of the example activities. 4. Update the Indicators to include the underlined: <ul style="list-style-type: none"> • Number of off-site identified receptors potentially affected (e.g., residential properties, public facilities, businesses/ farms, institutions <u>and vacant lots zoned for sensitive uses</u>). 5. Update the Indicators to include: <ul style="list-style-type: none"> • Noise from processing plants. 6. Update Proposed Data Sources to include: <ul style="list-style-type: none"> • Noise Impact Study Report Addendum 1 (Aercoustics Engineering Ltd., Feb 5 2020) and Noise Control Berm Flood Impact Analysis (Tatham Engineering Limited, May 4 2020).



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		<ul style="list-style-type: none"> effects at sensitive receptors Number of off-site identified receptors potentially affected (e.g., residential properties, public facilities, businesses/farms, institutions) 		
Blasting and Vibration O.Reg. 539/21 Section 7(2)©*	Blasting during quarry operations may result in potential effects, damage, and/or safety concerns within the surrounding area.	<ul style="list-style-type: none"> Predicted amount of air overpressure, vibration, and flyrock (at site boundary and receptors) Frequency of potential blasting effects at sensitive receptors Number of off-site identified receptors potentially affected (e.g., residential properties, public facilities, businesses/farms, institutions) 	<ul style="list-style-type: none"> Blast Impact Analysis (Explotech, 2018) prepared for ARA application Applicable MECP guidelines, technical standards, and models (e.g., NPC-119) Related evaluation criteria identified in other disciplines (e.g., off-site receptors) 	7. Update Indicators to include: <ul style="list-style-type: none"> Natural Heritage receptors. 8. Update Proposed Data Sources to include: <ul style="list-style-type: none"> Blast Impact Analysis Addendum (Explotech Engineering Ltd., Dec 3, 2019).
Geology and Hydrogeology				
Groundwater Quality O.Reg. 539/21 Section 7(2)(a, b, c, g)*	Quarry operations may result in changes to groundwater quality within groundwater resources (e.g., <i>blasting, quarrying within aquifer</i>).	<ul style="list-style-type: none"> Changes to groundwater quality (e.g., bacteriological, chemical and physical changes to water chemistry down-gradient of site) 	<ul style="list-style-type: none"> Level 1 & 2 Hydrogeological Assessment Reid Road Reservoir Quarry (Harden Environment, 2018) prepared for ARA application 	9. Update Indicators to include the underlined: <ul style="list-style-type: none"> Changes to groundwater temperature <u>and turbidity</u> (e.g., temperature and turbidity of discharge into Kilbride Creek and Tributary). 10. Update Proposed Data Sources to include: <ul style="list-style-type: none"> Hydrogeological Addendum Report (Harden Environmental Ltd., October 2020).



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		<ul style="list-style-type: none"> Changes to groundwater temperature (e.g., temperature of discharge into Kilbride Creek and Tributary) 	<ul style="list-style-type: none"> Environmental and Water Management Operational Guide (JDCL, 2019) prepared as part of JART review process Applicable MECP guidelines, technical standards, and models (e.g., Ontario Drinking Water Quality Standards) 	<p>11. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> Environmental and Water Management Guide (JDCL, August 2020).
Groundwater Quantity and Flow	Quarry operations may disrupt natural groundwater flows and impact groundwater levels and well water users off-site (e.g., dewatering/draw down)	<ul style="list-style-type: none"> Loss/reduction in groundwater resources Changes to groundwater quantity and availability (e.g. existing water supply in private wells) 	<ul style="list-style-type: none"> Level 1 & 2 Hydrogeological Assessment Reid Road Reservoir Quarry (Harden Environmental, 2018) MECP and Conservation Halton data (e.g., water well records, Provincial Groundwater Monitoring Network) Applicable MECP guidelines, technical standards and accepted models 	<p>12. Update Rationale to include the underlined:</p> <ul style="list-style-type: none"> Quarry operations may disrupt natural groundwater flows and impact groundwater levels and well water users off-site <u>as well as natural heritage features and functions dependent on groundwater</u> (e.g., dewatering/drawdown). <p>13. Update Indicators to include:</p> <ul style="list-style-type: none"> Potential disruption to local groundwater seepages and associated aquatic habitat and wetlands. (see surface water quantity below). <p>14. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> Hydrogeological Addendum Report (Harden Environmental Ltd., October 2020). <p>15. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> Environmental and Water Management Guide (JDCL, August 2020).



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
Hydrology				
Surface Water Quality	Quarry operations may result in changes to surface water quality within adjacent surface water resources (e.g., surface water run-off draining to surface water receptors, sediment deposition, erosion of exposed surficial soils).	<ul style="list-style-type: none"> Reduction in surface water quality (e.g. turbidity within wetlands, Kilbride Creek and Tributary) Increase in surface water temperature 	<ul style="list-style-type: none"> Level 1 & 2 Hydrogeological Assessment Reid Road Reservoir Quarry (Harden Environmental, 2018) prepared for ARA application MECP and Conservation Halton data (e.g., Surface water quality-monitoring data, Provincial Water Quality Monitoring Network) Applicable MECP guidelines, technical standards and accepted models (e.g., Provincial Water Quality Objectives) 	<p>16. Update Indicators to include:</p> <ul style="list-style-type: none"> Potential of contamination of surface runoff from on-site quarry activities. <p>17. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> Hydrogeological Addendum Report (Harden Environmental Ltd., October 2020). <p>18. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> Environmental and Water Management Guide (JDCL, August 2020).
Surface Water Quantity and Flow	Quarry operations may disrupt natural surface water drainage patterns, run-off, and peak flows (e.g., dewatering discharge, effect on baseflow to surface water, etc).	<ul style="list-style-type: none"> Change in runoff volumes and peak flows Changes to drainage areas and drainage patterns on-site and off-site (e.g., stream crossings along haul routes). Predicted occurrence and degree of off-site 	<ul style="list-style-type: none"> Level 1 & 2 Hydrogeological Assessment Reid Road Reservoir Quarry (Harden Environmental, 2018) prepared for ARA application MECP and Conservation Halton data (e.g., flow information, 	<p>19. Update Indicators to include the underlined:</p> <ul style="list-style-type: none"> Changes to drainage areas and drainage patterns on-site and off-site <u>including seeps, springs, and wetlands contributing to aquatic habitat- see Aquatic Ecosystems below.</u> (e.g., stream crossings along haul routes). <p>20. Update Indicators to include the underlined:</p> <ul style="list-style-type: none"> Predicted occurrence and degree of off-site effects to surface water flows <u>including seeps, springs, and wetlands contributing to aquatic habitat- see Aquatic Ecosystems below</u> (e.g., loss of groundwater discharge to surface water features).



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		<p>effects to surface water flows (e.g., loss of groundwater discharge to surface water features).</p>	<p>hydrologic modelling</p> <ul style="list-style-type: none"> • Applicable MECP/MNRF/ECCC guidelines, technical standards and accepted models (e.g., hydrology design standards) • Related evaluation criteria identified in other disciplines (e.g., meteorological data, climate change modelling) 	<p>21. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Hydrogeological Addendum Report (Harden Environmental Ltd., October 2020). <p>22. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Environmental and Water Management Guide (JDCL, August 2020).
Ecological Environment				
<p>Aquatic Ecosystems</p>	<p>Quarry operations and haul routes may disturb the functioning of natural aquatic habitats and species, including rare, threatened, or endangered species</p>	<ul style="list-style-type: none"> • Habitat removal/change (e.g., amphibian breeding ponds, sediment release, fish habitat) • Loss/change of ecological functions (e.g., drawdown in wetlands during extraction) • Risk of species mortality (e.g., underwater blasting) • Potential effects on fish habitat resulting from dewatering, blasting, or changes in streamflow 	<ul style="list-style-type: none"> • Proposed Reid Road Reservoir Quarry Level II Natural Environment Report Technical Report (GWS & Gray Owl Environmental, 2018) prepared for ARA application • Environmental and Water Management Operation Guide (JDCL, 2019) prepared as part of JART review process • MECP, MNRF, and Conservation Halton data (e.g., species 	<p>23. Table 1 content is not consistent across the Evaluation Criteria. For some Evaluation Criteria the Rationale includes potential effects on other Evaluation Criteria and for other Evaluation Criteria it does not. Where effects on other Evaluation Criteria are mentioned they are not comprehensive. For example, for Groundwater Quality the Rationale is that quarry operations may result in changes to groundwater quality. For Groundwater Quantity and Flow the Rationale is that "Quarry operations may disrupt natural groundwater flows and impact groundwater levels and <i>well water users off site</i>". In the latter, a potential socio-economic receptor is identified but the potential ecological receptors are not.</p> <p>24. Table 1 content is not consistent across the Evaluation Criteria. For some Evaluation Criteria the Rationale includes potential effects on other Evaluation Criteria and for other Evaluation Criteria it does not. Where effects on other Evaluation Criteria are mentioned they are not comprehensive. For example, for Groundwater Quality the Rationale is that quarry operations may result in changes</p>



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
			<p>records, wetland mapping)</p> <ul style="list-style-type: none"> • Applicable MECP/MNRF guidelines, technical standards and accepted models (e.g., Natural Heritage Reference Manual) 	<p>to groundwater quality. For Groundwater Quantity and Flow the Rationale is that “Quarry operations may disrupt natural groundwater flows and impact groundwater levels and well water users off site”. In the latter, a potential socio-economic receptor is identified but the potential ecological receptors are not.</p> <p>25. Update Indicators to include:</p> <ul style="list-style-type: none"> • Changes to species composition of aquatic communities (e.g., the fish community in Kilbride Creek and Tributary). <p>26. Kilbride Creek and Tributary should be identified as the locations where increases in surface water temperature is a concern.</p> <p>27. Risk of species mortality, which is listed as an Indicator for Aquatic Ecosystems is an inaccurate term. Individual organisms die but species do not. Perhaps this could be changed to “death of aquatic organisms” or “death of fish” to more accurately reflect the concern.</p> <p>28. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Level II Natural Environment Technical Report Addendum (GWS Ecological & Forestry Services and Gray Owl Environmental, October 2020).
Terrestrial Ecosystems	Quarry operations and haul routes may disturb the functioning of natural terrestrial habitat and species, including rare, threatened, or endangered species.	<ul style="list-style-type: none"> • Habitat removal/change (e.g., areas of forest/grassland habitat removed for the quarry or adjacent to haul routes) • Loss/change of ecological functions 	<ul style="list-style-type: none"> • Proposed Reid Road Reservoir Quarry Level II Natural Environment Report Technical Report (GWS & Gray Owl Environmental, 2018) prepared for ARA application 	<p>29. As identified as a general concern, this column should identify the specific criteria to be considered, for example, Species at Risk, Wetlands, Woodlands, Significant Wildlife Habitat, etc.</p> <p>The use of the word “disturb” to describe potential impacts as part of the Rationale, minimizes the significance of potential impacts since its use suggests that potential negative impacts are of a temporary nature, whereas the</p>



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		<p>(e.g., SWH in wetlands adjacent to haul routes)</p> <ul style="list-style-type: none"> • Risk of species mortality (e.g., road strikes along haul routes) • Nuisance effects on terrestrial species (e.g., dust, fly rock, etc.) 	<ul style="list-style-type: none"> • MECP, MNRF and Conservation Halton data (e.g., species records, natural heritage mapping) • Applicable MECP/MNRF guidelines, technical standards and accepted models (e.g., Natural Heritage Reference Manual) 	<p>direct loss or potential functional loss may be permanent and should be more specifically acknowledged.</p> <p>We also believe the Special Concern species and Significant Wildlife habitat (SWH) should be specifically acknowledged in the Rationale.</p> <p>Update Rationale to include the underlined additions/replacements:</p> <ul style="list-style-type: none"> • Quarry operations and haul routes may permanently <u>impact</u> the functioning of natural terrestrial habitats and species, including rare, <u>Special Concern</u>, <u>Threatened</u>, or <u>Endangered</u> species, <u>as well as Significant Wildlife Habitat</u>. <p>30. Indicators for each criteria should provide specificity regarding what will be measured to evaluate the associated criteria; it is recognized that in some cases measurable indicators have been proposed, but they are general and not aligned with a specific criterion.</p> <p>31. Update Indicators to include the underlined:</p> <ul style="list-style-type: none"> • Loss/change of ecological functions (e.g., SWH in wetlands adjacent to haul routes). <u>This loss/change may include occur as a result of direct and indirect impacts, as well as cumulative effects.</u> <p>32. Update Indicators to replace “nuisance” with the underlined:</p> <ul style="list-style-type: none"> • <u>Operational</u> effects on terrestrial species (e.g., dust, fly rock, etc.). <p>33. Note for the Proposed Data Sources:</p> <ul style="list-style-type: none"> • It’s recommended that Wildlife surveys that are more than five years old be repeated. <p>34. Comments on the Proposed Data Sources:</p>



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<ul style="list-style-type: none"> • Wildlife surveys to bolster/re-confirm the Significant Wildlife Habitat (SWH) Assessment could be conducted for the following reasons: <ul style="list-style-type: none"> ○ Bat Maternity Colonies – Based on the leaf off survey that was conducted in treed habitats within the proposed extraction area, only 7 trees were deemed to have some potential as maternity habitat. However, it isn't clear whether it exceeded the number of trees/ha for Candidate SWH. Review and possibly rerun. ○ Turtle Wintering Areas – Given the speculative nature of the assessment, additional field surveys could be conducted to support their opinion. ○ Reptile Hibernaculum – Given that the number of snakes documented was very close to triggering SWH status, and the fact that snakes can be very difficult to document, it would be helpful to conduct additional survey work. ○ Turtle Nesting Areas – Given how difficult it can be to document turtle nesting activity, the documented presence of qualifying species in large enough numbers, and the low numbers required to trigger SWH, additional surveys could be run. ○ Woodland Area-Sensitive Bird Breeding Habitat – Additional surveys could be run in 2024 to reconfirm SWH status. ○ Marsh Breeding Bird Habitat – According to the SWHCS, a single nesting Green Heron qualifies as SWH. According to text on page 60 in the NETR, "a single pair of Green Herons nested in the white cedar-dominated swamp south of the internal road on the east side." Given the documented presence of



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<p>nesting Green Heron, additional surveys could be run to help confirm their presence. Green Heron nests can be difficult to find amongst leafed-out tree branches.</p> <ul style="list-style-type: none"> ○ Terrestrial Crayfish – Targeted surveys to look for terrestrial crayfish were never undertaken, therefore surveys should be conducted.
Socio-Economic Environment				
Social Environment O.Reg 539/21 Section 7(2)(f)*				
Local Community	Quarry operations and haul routes may adversely affect residents and businesses in the local community	<ul style="list-style-type: none"> • Number of residents and residences (e.g., receptors) • Number and type of local businesses • Changes to use and enjoyment of property (e.g., nuisance effects) • Changes to level of satisfaction with living/working in the community 	<ul style="list-style-type: none"> • Census and municipal data • Municipal tax information/sources of municipal revenues • JDCL economic data (e.g., municipal fee contributions, employment, procurement) 	No JART comments on this criterion.
Economic Environment				
Community Economics	Quarry operation could potentially have economic effects on and/or provide economic benefits to the local community	<ul style="list-style-type: none"> • Changes to employment levels (direct and/or indirect) • Changes to municipal finances • Changes to local business activities • Changes to type/value of procurement from 	<ul style="list-style-type: none"> • Census and municipal data • Municipal tax information/sources of municipal revenues • JDCL economic data (e.g., municipal fee contributions, employment, procurement) 	No JART comments on this criterion.



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
		and provision to the local community <ul style="list-style-type: none"> Changes to tourism 		
Cultural Environment				
Archaeological Resources	Archaeological resources within Study Area can be damaged or destroyed by construction and operation of the quarry. Activities related to construction and operation of the quarry may cause negative effects on archaeological sites or areas with archaeological potential.	<ul style="list-style-type: none"> Presence and significance of archaeological resources within the quarry footprint 	<ul style="list-style-type: none"> Stage 1 Archaeological Assessment (NYAS, 2017) prepared for ARA application Clearance of Archaeological potential in compliance with the Ministry of Heritage, Sport, Tourism, and Culture Industries requirements (Dec. 18, 2018) Ontario Archaeological Sites Database (OASD) MTCS Standards and Guidelines for Consultant Archaeologists 	No JART comments on this criterion.
Cultural Heritage Resources	Activities related to construction and operation of the quarry may result in direct or indirect effects on identified built heritage resources and cultural heritage landscapes.	<ul style="list-style-type: none"> Direct or indirect impacts on known or potential cultural heritage resources (known/potential built heritage resources and cultural heritage landscapes_ 	<ul style="list-style-type: none"> Stage 1 Archaeological Assessment (NYAS, 2017) prepared for ARA application Clearance of Archaeological potential in compliance with Ministry of Heritage, Sport, Tourism and Culture Industries 	No JART comments on this criterion.



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
			requirements (Dec. 18, 2018) <ul style="list-style-type: none"> • Municipal, Provincial, and Federal Heritage Registers and Inventories • MTCS Criteria for Evaluating Potential for Built Heritage Resources and Cultural Heritage Landscapes 	
Built Environment				
Traffic O. Reg. 539/21 Section 7(2)(e)*	Truck traffic along the haul route from quarry operations may adversely affect residents, businesses, institutions, and movement of form vehicles in the site vicinity	<ul style="list-style-type: none"> • Changes in daily truck traffic volume • Changes to road operations and level of service for intersections (e.g., capacity, delay, queues) • Effect of truck traffic on structural road components (e.g., pavement and road infrastructure) • Interactions and potential conflicts with emergency vehicles and impacts to emergency response times • Potential safety and crash risks to other road users 	<ul style="list-style-type: none"> • Reid Road Reservoir Quarry Traffic Impact Study (Paradigm, 2018) prepared for ARA application • Milton Transportation Master Plan • Related evaluation criteria identified in other disciplines (e.g., off-site receptors) 	35. Through the review of the ARA application, Town Traffic staff had a number of outstanding comments with respect to sight distances, pedestrian/cyclist conflicts and emergency response times. Under Indicators, add examples to potential safety: <ul style="list-style-type: none"> • Corner clearances, sight distances (including night time visibility and departure sight distances at the intersection of Reid Side Road and Twiss Road), and vehicle and pedestrian conflicts. 36. In addition to the above, Town Infrastructure staff had met with JDCL, MHBC and the Region to discuss the geotechnical investigation of Reid Road and the scheduled Reid Road resurfacing. The Town did proceed with rehabilitation of Reid Side Road in 2022. The relevant reports and drawings are identified below. Due to the delay of the process at the time (late 2020/early 2021), the Town did not further analyze Reid Side Road for potential impacts due to potential future quarry traffic. This is outstanding, and the most recent geotechnical reports and Town road drawings should be used as the baseline for any future analysis.



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<p>For the alternative haul route under consideration (i.e. Twiss Road), the Town requires a comprehensive geotechnical investigation and associated report be prepared to assess the suitability of the roads to accept quarry traffic (i.e. to satisfy the same criteria identified for Reid Side Road in May 2020 via JART comments provided to JDCL, which are as follows:</p> <ol style="list-style-type: none"> 1. Prepare an updated, comprehensive geotechnical report and associated pavement design report, to address the following: <ol style="list-style-type: none"> a. Recommend a rehabilitation method for the road, using updated traffic volumes (to reflect current and future (a generalized traffic growth rate of 1.0 percent compounded per annum can be assumed for Twiss Road. This is consistent with the assumptions in the TIS), without the Quarry traffic, to reflect a 20 year design life (i.e. 20 years until next rehabilitation/overlay required); b. Recommend a rehabilitation method for the road, using updated traffic volumes AND the anticipated traffic and increase in truck volumes from the Quarry (these volumes to match those in the updated TIS); c. Pavement design report to include ESAL calculations to support the recommended pavement designs; d. If additional/increased pavement design is required due to the increased Quarry traffic, then a cost estimate of all work will need to be included (1. Cost to improve without Quarry traffic considered, 2. Cost to improve with quarry traffic considered), the difference in cost between these 2 methods will be



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<p>paid to the Town by the applicant, to use towards the rehabilitation of this road (which will occur in the Town's capital rehabilitation program, currently TBD, subject to budget and council approval) – this will account for Quarry associated traffic);</p> <ul style="list-style-type: none"> e. All costs associated with this geotechnical and pavement design report will be borne by the applicant; and f. The Town reserves the right to peer review this report, and the costs associated with peer review will be recovered from the applicant. <p>2. Geotechnical Site Investigation for Twiss Road to include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a. Borehole layout; b. Clearance and protection of underground utilities; c. Boreholes in mid driving lanes (alternating, every 100m) to a depth of 1.5m, with gradations performed on samples; d. Boreholes in shoulder (alternating, every 300m) to a depth of 1.0m, with gradations performed on samples; e. During drilling, soil and groundwater conditions will be recorded and soil samples collected; f. Backfill all boreholes and resurface with cold patch; g. Ensure safety of public and staff involved in site investigation; h. Protect utilities and property from damage; i. Restore the site to as near original conditions as practical; j. Avoid having equipment/vehicles/staff on shoulders when any seasonal maintenance



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<p>operations are anticipated (i.e. plowing, grading etc.);</p> <ul style="list-style-type: none"> k. All signage and traffic control to be in accordance with OTM Book 7; and l. Prepare Pavement Design Report/Geotechnical Investigation Report that is to include the following: <ul style="list-style-type: none"> i. Pavement rehabilitation recommendations in accordance with the MTO’s “Pavement Design and Rehabilitation Manual” and applicable Town design standards; and ii. Identification of soil type and pavement conditions in areas of investigation. <p>If the applicant is of the opinion that they don’t need to perform field work, and can rely on the information already available (i.e., previous studies), they will need to justify this in writing and submit this opinion along with that a comprehensive pavement design report, which addresses all items listed in #1 a-f above.</p> <p>Once a report is submitted, the Town may opt to have this peer reviewed and will look to the applicant to recover any costs associated with this.</p> <p>37. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Reid Road Reservoir Quarry Traffic Impact Study - Updated (Paradigm, 2020) and Road Safety Impact Study – Proposed Reid Road Reservoir Quarry Haul Route Report (Intus, June 2020). <p>38. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Expanded Asphalt Program 2022 – Reid Side Road from Twiss Road to Crawford Crescent – January 4,



Table 1: Preliminary Evaluation Criteria and Indicators for the Proposed Reid Road Quarry Alternative Methods of Operation and Alternative Haul Route Options

Evaluation Criteria	Rationale	Indicator(s)	Proposed Data Sources	JART Comments (January 17, 2024)
				<p>2022, by Thurber Engineering Ltd.; and associated design drawings by CIMA+, IFT drawing set dated March 3, 2022; as built drawings to be provided in January 2024..</p> <p>39. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • Add structural evaluation of any existing culverts on Reid Side Road, and Twiss Road (i.e. the alternate haul route being considered/evaluated).
Current and Planned Land Use	Quarry operations may not be fully compatible with certain current and/or planned land uses in the Study Area. Quarries can potentially have a negative impact on sensitive land uses in the vicinity.	<ul style="list-style-type: none"> • Current land use • Planned land use • Type(s) and proximity of off-site recreational resources within 1 km • Type(s) and proximity of off-site sensitive land uses • Type(s) and proximity of agricultural land use/operations (e.g., organic, cash crop, livestock) 	<ul style="list-style-type: none"> • Reid Road Reservoir Quarry Summary Statement Report (MHBC, 2018) prepared for ARA application • Official Plans and Zoning By-laws • Agency mapping (e.g., Canada Land Inventory, OMAFRA Agricultural Information Atlas, etc.) 	<p>40. Update Proposed Data Sources to include:</p> <ul style="list-style-type: none"> • The Greenbelt Plan and other applicable provincial policy documents.

* Denotes required studies identified in O. Reg 539/21 Section 7(2)



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-015-24

Subject: Z-01/24 - 1000337795 Ontario Inc. (245 Commercial Street) - Technical Report

Recommendation: THAT Staff Report DS-015-24 outlining an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to introduce Medical Clinic use on the subject lands BE APPROVED;

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-015-24 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 the Report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

The applicant has applied to amend the Town of Milton Zoning By-law 016-2014, as amended, for the lands municipally known as 245 Commercial Street. The proposed amendment introduces Medical Clinic uses to the site specific Residential Low Density III (RLD3*120) zone and establishes a site specific parking rate.

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 is prepared in a manner that would allow it to be considered by Town Council for approval.

REPORT

Background

Owner: 1000337795 Ontario Inc., 245 Commercial Street, Milton, Ontario

Applicant: Urban in Mind, 3390 South Service Road, Burlington, Ontario

Location/Description:

The subject lands are located in Ward 1 and are municipally known as 275 Commercial Street. The property is generally located east of Ontario Street South and north of Derry Road. The subject lands comprise an area of approximately 1.43 hectares (3.53 acres). The subject lands currently contain a 1,158.70 square metre building which accommodates various office uses permitted within the site specific Residential Low Density III (RLD3*120) Zone (i.e. accounting, a regulated health professional, and insurance).

Surrounding land uses include low density residential subdivisions, natural heritage systems to the rear (including a tributary of Sixteen Mile Creek), and J.M. Denyes Public School to the west.

A Location Map is included as Figure 1 to this report.

Proposal:

The applicant is seeking an amendment to the Town of Milton Zoning By-law 016-2014, as amended, to introduce medical clinic permissions with a maximum gross floor area of 190 square metres, along with a site-specific parking rate. No physical changes are proposed on-site as a result of this application. If approved, a portion of the existing gross floor area that is currently being used for permitted office uses will be converted to medical clinic uses.

A Site Plan is included as Figure 2 to this report.

The following information has been submitted in support of this application:

- Site Plan, prepared by Urban in Mind, dated November 16, 2023;
- Floor Plans, prepared by Fine Lines Design, dated December 22, 2023;
- Planning Justification Report, prepared by Urban in Mind, dated February 21, 2024;
- Traffic Opinion Letter, prepared by CGC Transportation Consulting, dated January 16, 2024; and,
- Draft Zoning By-law Amendment.

Discussion

Planning Policy:

The subject lands are designated as Residential Area on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. Through Section 3.2.2 (i), the Residential Area designation permits local commercial uses, such as limited convenience commercial and

Discussion

office uses that provide services to the needs of residents in adjacent neighbourhoods. Sections 3.2.3.6 and 3.2.3.7 provides direction for local commercial uses as it relates to siting and integration with adjacent residential uses - including, minimizing traffic impacts, providing adequate on-site parking, and ensuring there is a need locally for the proposed service.

It is the opinion of Planning Staff that the proposal conforms to the above-noted policy direction.

The Ontario Medical Association (2024) has identified a shortage of medical professionals within the province - therefore, the proposed Medical Clinic use being introduced through this application will contribute to the availability of healthcare services within the Milton community.

Through the Traffic Opinion Letter, prepared by CGC Transportation Consulting, the applicant has demonstrated that any traffic generation associated with the proposed Medical Clinic use will be negligible in relation to what currently exists. Further, the existing parking stock has been deemed satisfactory in relation to the site's existing gross floor area and the conversion of space to a Medical Clinic use.

Planning Staff have reviewed the application against the Provincial Policy Statement, Growth Plan, and the Halton Region Official Plan. Both Town Staff and agency partners are satisfied that the application for a zoning by-law amendment, as presented in 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 Residential Low Density III (RLD3*120) which only permits Office uses. The current application proposes to amend the site specific provisions to allow a maximum gross floor area of Medical Clinic uses, along with establishing a site specific parking rate.

Staff note that through the current RLD3*130 provisions and definition of 'Office' use within the Zoning By-law 016-2014, as amended, a Regulated Health Practitioner is permitted but limited to one employee. Given the applicant intends to permit additional practitioners and employees within the existing multi-unit building, Medical Clinic use must be formally established as a stand-alone use within the applicable zone.

Discussion

Site Plan Control:

Given that there is no physical development proposed through this application, Site Plan Control is not applicable. Should an expansion of the building or parking area be proposed in future, Site Plan Approval may be required.

Public Consultation and Review Process:

Notice of a Public Meeting was provided pursuant to the requirements of the Planning Act on February 8, 2024. Signage was posted on the property along Commercial Street and personal notice was provided by mail to all residents within 200 metres of the subject lands. The statutory Public Meeting was held on March 5, 2024. One member of the public provided written correspondence in advance of the Public Meeting.

Agency Consultation:

The application submission, including all supporting documents, were circulated to internal and external commenting agencies. Town Departments, School Boards and other agencies offered no objection to the application.

Summary of Issues:

The following issues and concerns were noted by residents, members of Council and staff through the application process.

Parking

A resident expressed concerns about the existing parking supply and potential overflow parking resulting from the proposed Medical Clinic use. The applicant provided a Traffic Opinion Letter, prepared by CGC Transportation Consulting, which reviewed the existing parking supply in relation to the mix of uses and gross floor area; it was determined that the existing parking supply of 38 spaces was sufficient in regard.

Town Transportation Staff have reviewed with the Traffic Opinion Letter and is satisfied that the proposal provides adequate parking on site.

Traffic Impacts

A resident expressed concerns about the potential traffic impacts from the proposed Medical Clinic permissions. The applicant provided a Traffic Opinion Letter, prepared by CGC



Discussion

Transportation Consulting, which contemplated the nature of the Medical Clinic use and potential traffic generation; it was determined that any traffic generation associated with the Medical Clinic use will be negligible in relation to uses currently existing on the site.

Town Transportation Staff have reviewed with the Traffic Opinion Letter and is satisfied that the proposal provides adequate parking on site.

Natural Heritage System

Concern was expressed regarding the development's potential impact on the Natural Heritage System located to the rear of the subject lands. Given that there is no physical development associated with this application, Halton Region offered no objection to the approval of this application as there is no impact anticipated on the adjacent Natural Heritage System area.

Conclusions:

Based on the aforementioned, Planning Staff is satisfied that the proposed zoning by-law amendment is consistent with the applicable Provincial Policy and conforms to both the Region of Halton and Town of Milton Official Plans. Therefore, Planning Staff recommend approval of the draft zoning by-law amendment.

Financial Impact

There is no financial impact associated with this report.

Respectfully submitted,

Jill Hogan, MCIP RPP
Commissioner, Development Services

For questions, please contact: Rachel Suffern, MPA, M.Sc., Phone: Ext. 2263
MCIP, RPP

Planner - Development Review



Attachments

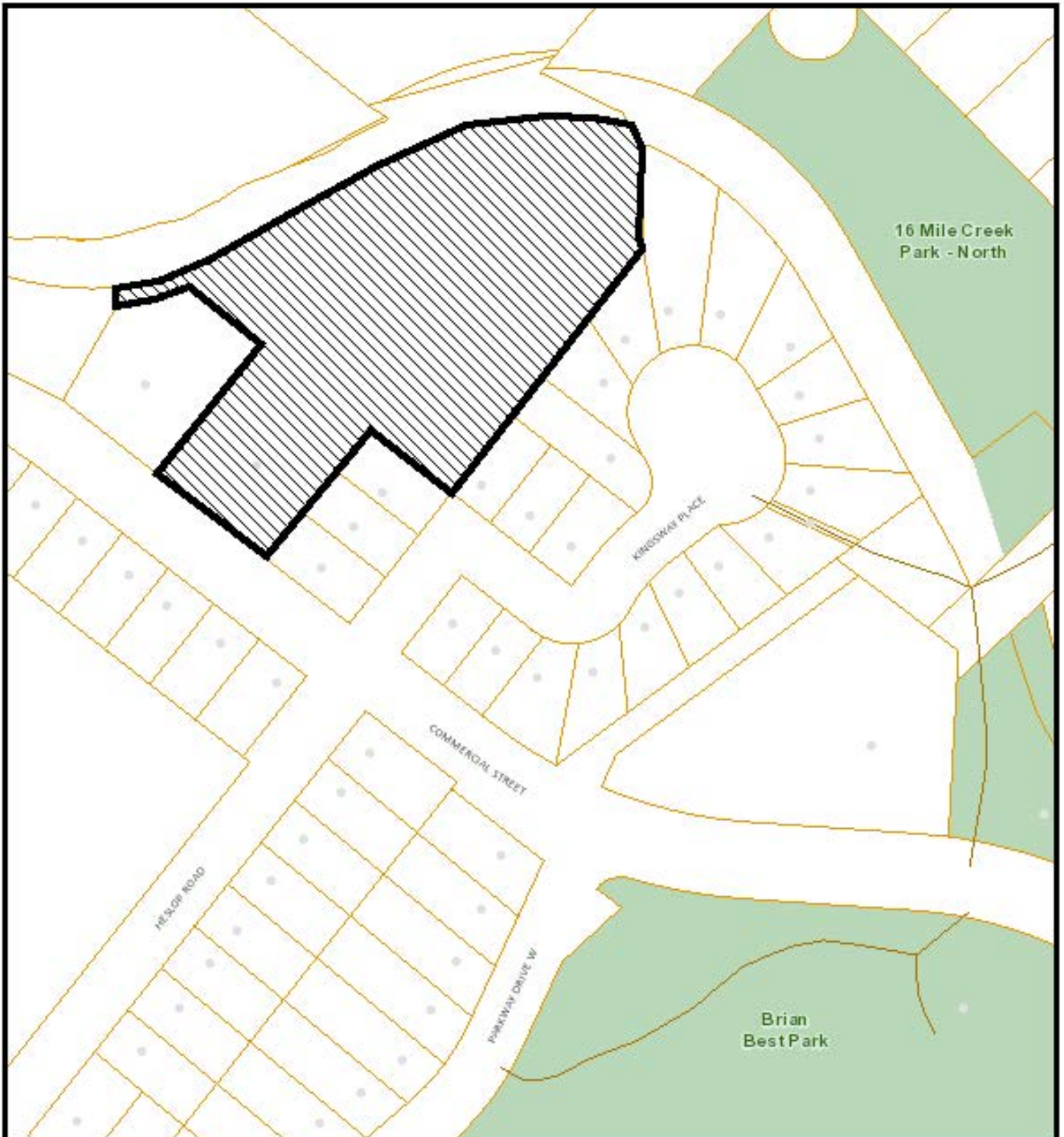
- Figure 1 - Location Map
- Figure 2 - Site Plan
- Appendix 1 - Proposed Zoning By-law

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

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

FIGURE 1 LOCATION MAP



Council Meeting Date:
March 25, 2024

Scale: 1:2,500

File: Z-01/24

Development Services



Subject Property
Page 187 of 512

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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

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 12, CONCESSION 4, PART 1 ON REGISTERED PLAN 20R-3791 AND PART OF PART 3 ON REGISTERED PLAN 20R-3888, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1000337795 Ontario Inc.) - FILE: Z-01/24

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** Section 13.1.1.120 of Comprehensive Zoning By-law 016-2014, as amended, is hereby amended to read as follows:
 - a. Notwithstanding Section 6.1 Table 6A, the only permitted uses shall be as follows:
 - i. Office
 - ii. Medical Clinic
 - b. Site Specific Provisions:
 - i. The maximum Gross Floor Area associated with Medical Clinic uses shall not exceed a cumulative total of 190 square metres on the site.
 - ii. The minimum parking required for all permitted uses on site shall be provided at a rate of 1 space per 28 square metres of Gross Floor Area.
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 MARCH 25, 2024

Gordon A. Krantz

Mayor

Meaghen Reid

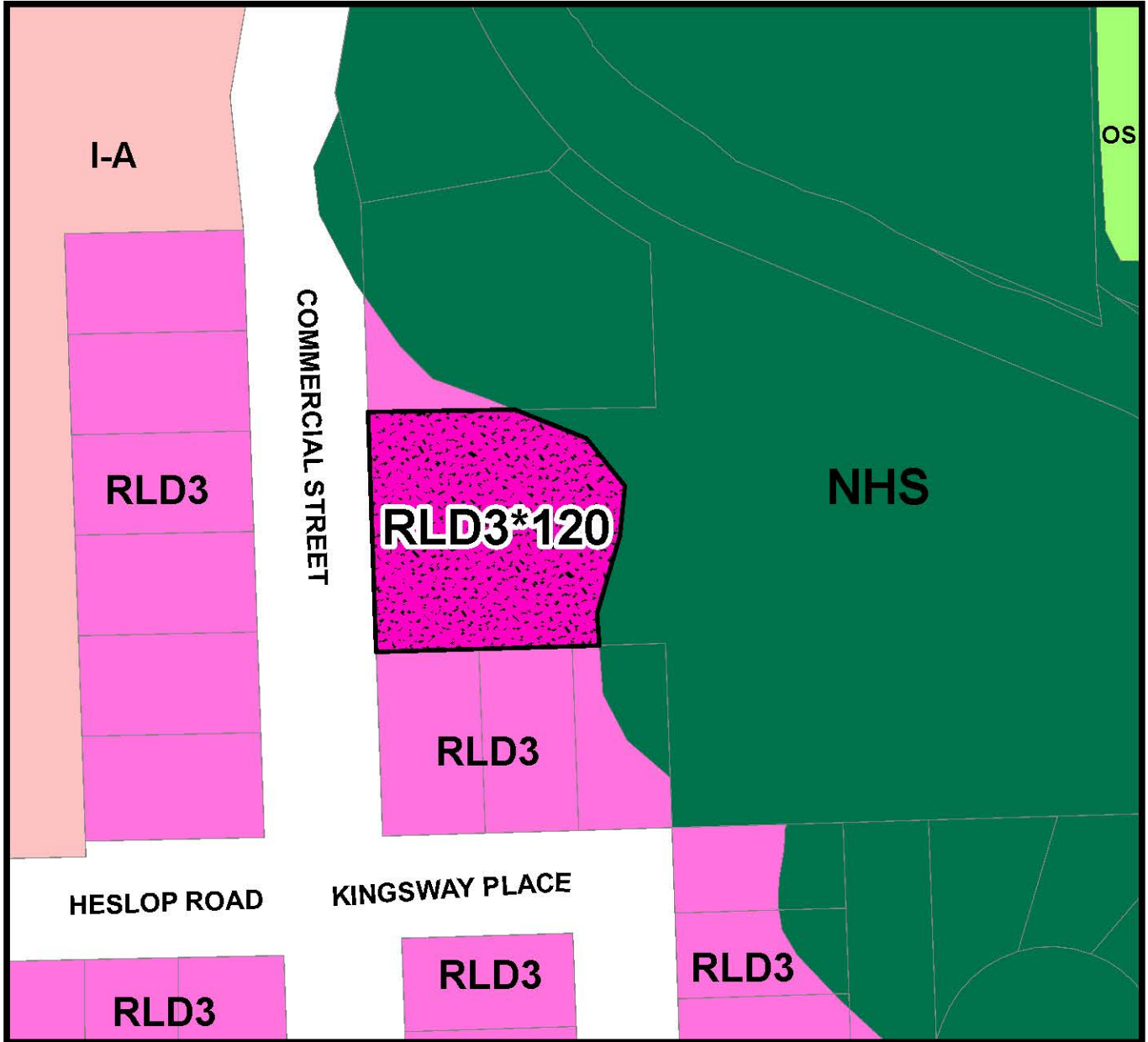
Town Clerk

SCHEDULE A
TO BY-LAW No. -2024

TOWN OF MILTON

245 COMMERCIAL STREET
(PART OF TOWNSHIP LOT 12, FORMER TRAFALGAR, CONCESSION 2 N.S.)

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS 25TH DAY OF MARCH, 2024.



Residential Low Density III
Zone (RLD3*120)

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid



Tammy Howe

From: Rachel Suffern
Sent: Monday, March 11, 2024 3:33 PM
To: Tammy Howe
Subject: FW: Town file Z-01/24

Rachel Suffern MPA M.Sc. MCIP RPP
Planner, Development Review
150 Mary Street., ON, L9T 6Z5
905-878-7252 ext. 2263
www.milton.ca

-----Original Message-----

From: Rachel Suffern
Sent: Tuesday, January 30, 2024 9:53 AM
To: [REDACTED]
Cc: Tammy Howe <Tammy.Howe@milton.ca>
Subject: RE: Town file Z-01/24

Hello [REDACTED],

Thank you for your comments.

Please be advised that your comments will now form part of the public record and will be included in a recommendation report. Your personal information will be redacted. In order that we can provide you with any updated reports to Council, can you please provide me with your mailing address so that I can add you to our interested parties list?

With respect to your question about parking, 38 spaces are provided on site whereas 40 spaces are required based on the gross floor area (and proposed mix of uses). This means that through the re-zoning, the applicant would be applying a site specific parking rate to address the deficiency of two parking spaces. To clarify, the number of spaces required for a site is based on the gross floor area of a building, rather than the total lot area. So to your point, the natural heritage features and floodplain would not contribute to the parking calculation.

To further clarify, there is no physical development proposed on-site. The applicant is seeking to convert existing office space to medical clinic uses. In order to accommodate the existing parking supply, the proposed by-law would prescribe a maximum gross floor area associated with the medical clinic use so that the parking demand would not exceed the supply on site. A physical expansion of the parking area would not be favorable due to environmental constraints so this is why the maximum gross floor area provision is being proposed, along with the site specific parking rate.

Should you have further questions, please don't hesitate to reach out.

Have a nice day,

Rachel

-----Original Message-----

From: [REDACTED]
Sent: Monday, January 29, 2024 11:15 AM
To: Rachel Suffern <Rachel.Suffern@milton.ca>
Subject: Town file Z-01/24

Morning Rachel, a few questions regarding this property. How many parking spaces will be required and where will they be. The map is deceptive as it's outlining unusable land, which i hope isn't nor should it be used to calculate their requirements. A considerable portion is flood plane and a steep incline. Commercial street is one of the busiest streets in town which will have increased issues with the traffic coming in plus the inevitable increased street parking in front of a public school. There isn't enough parking for a medical building, just down the street is another medical building which is always full during business hours and overflows using the town parking lot at Brian Best park. In the past the town has allowed paid parking in lieu of the lack of available spaces which does nothing to alleviate the problem it creates and Id hope that practice no longer exists.

My phone number is [REDACTED]
If you require any more information



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: March 25, 2024

Report No: DS-016-24

Subject: Technical Report - Official Plan Amendment and Zoning By-law Amendment Applications by Orlando Corporation, Heartland (Seven) Limited and Quarre Properties Inc. to permit the development of two industrial subdivisions (Files: LOPA-09/21, Z-26/21, Z-27/21)

Recommendation: THAT Staff Report DS-016-24 outlining applications for amendments to the Town of Milton Official Plan, Zoning By-law 016-2014, as amended and Zoning By-law 144-2003, as amended, to facilitate the construction of two industrial subdivisions, BE APPROVED;

AND THAT staff be authorized to bring forward Official Plan Amendment No. 79 in accordance with the draft Official Plan Amendment attached as Appendix 1 to Report DS-016-24 for Council adoption;

AND THAT staff be authorized to bring forward amending Zoning By-laws in accordance with the draft By-laws attached as Appendix 2, 3 and 4 to Report DS-016-24 for Council adoption;

AND THAT Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plans of subdivision (24T-21007/M and 24T-21008/M);

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 the report and Decision to the Region of Halton for their information.

EXECUTIVE SUMMARY

Applications have been submitted for Draft Plans of Subdivision for multiple properties located in the northern area of the Milton 401 Industrial/Business Park Secondary Plan area. The subject lands are collectively referred to as the Halton Business Community (formerly North Porta) and include the East lands (8350 Esquesing Line) and the West lands (8802, 8820, 8830, 8872 and 8880 Boston Church Road). The Draft Plan of Subdivision for the East lands includes one industrial block, a stormwater management pond and buffer blocks, a grading block, a block for the relocated heritage house, a natural heritage system block (that contains a channel, woodlot and buffers), a new road block and three road widening blocks. The applicant's proposed concept plan identifies four industrial buildings on the East lands with one access from Boston Church Road and two new accesses from James Snow Parkway over the Hydro One corridor lands.

The Draft Plan of Subdivision for the West lands includes an industrial block, a natural heritage system channel block and two road widening blocks. The applicant's proposed concept plan identifies three industrial buildings on the West lands with three entrances from Boston Church Road and two entrances from No. 5 Side Road.

In addition to the above, the applicant is seeking to amend the Town of Milton Official Plan, Zoning By-law 016-2014, as amended, and Zoning By-law 144-2003, as amended, to facilitate the construction of the industrial plans of subdivision. The proposed Official Plan Amendment applies only to the East lands and seeks to include a portion of the subject lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area. The proposed Official Plan Amendment also intends to amend the existing site-specific policy area to permit an additional use for land within the Industrial Area designation as well as the Business Commercial Area designation that includes the relocated Aitken-Snow heritage house.

The proposed zoning by-law amendments intend to rezone the lands to appropriate zones to implement the Draft Plans of Subdivision. To facilitate the development, the proposed zoning by-law amendments include site-specific industrial zones and a site-specific business commercial zone with additional uses and special provisions.

Conclusions and Recommendations

Staff recommends that the official plan amendment, zoning by-law amendments and plans of subdivision applications BE APPROVED for the following reasons:

1. the proposed development is consistent with and conforms to Provincial, Regional and Town planning policy and provides for appropriate land uses that have been contemplated by the Town of Milton Official Plan and the Milton 401 Industrial/Business Park Secondary Plan;

EXECUTIVE SUMMARY

2. the proposal will implement the Halton Region Official Plan as it relates to the Urban Area expansion, as adopted by Regional Council through Regional Official Plan Amendment No. 52;
3. the proposal makes efficient use of land and infrastructure and will facilitate employment growth within the Milton 401 Industrial/Business Park Secondary Plan area and would make a positive contribution to meeting the Town's employment growth targets in accordance with Town, Regional and Provincial planning policy; and,
4. the proposal meets all of the technical requirements of the affected Civic Departments and all other agencies.

REPORT

Background

Owner: Orlando Corporation, Heartland (Two) Limited and Quarre (Two) Inc., 6205 Airport Road, Suite 500, Mississauga, ON.

Agent: Glen Schnarr & Associates Inc., 10 Kingsbridge Garden Circle, Suite 700, Mississauga, ON.

Location/Description: The subject lands are located in Ward 2, at the northern limit of the Milton Urban Area and comprise two land areas that are separated by Boston Church Road, referred to as the East lands and the West lands throughout this Report (see Figure 1).

The East lands are municipally known as 8350 Esquesing Line and are situated between Boston Church Road and Esquesing Line, on the north side of the Hydro One corridor lands that abut James Snow Parkway. The East lands do not currently have access to James Snow Parkway. The East lands are currently vacant with the exception of an existing heritage house (referred to as the Aitken-Snow heritage house) located on Esquesing Line. The northern portion of the East lands is within the Protected Countryside Area and Natural Heritage System overlay of the Provincial Greenbelt Plan.

The West lands are located to the southwest of the intersection at Boston Church Road and No. 5 Side Road and are municipally known as 8802, 8820, 8830, 8872 and 8880 Boston Church Road. The largest portion of the West lands (8880 Boston Church Road) is vacant and used for agricultural purposes. Three of the smaller properties each contain a residential dwelling that will eventually be demolished and the fourth smaller property is currently vacant. The property located at 8802 Boston Church Road also contains a business (SignFIELD Inflatable Advertising Inc.) operating in an accessory building that will also be demolished.

Background

Two watercourses traverse the subject lands and these include the Middle Branch of the Sixteen Mile Creek in the northeastern corner of the East lands (within the Greenbelt Plan area) and the tributary of the Middle Branch of the Sixteen Mile Creek. The Middle Branch has a permanent flow while the tributary has an intermittent flow.

Figure 1 to this Report includes a location map of the subject lands.

The surrounding land uses for the East lands include rural residential uses and woodlands (largely contained within the limits of the Greenbelt Plan area) to the north. Beyond these properties are lands used for agricultural purposes. Rural residential uses and lands with natural heritage features are located to the east and lands designated for industrial uses are located to the south and west.

The surrounding land uses for the West lands include rural residential and agricultural uses to the north and east as well as lands designated for industrial uses to the south and west. The CN Railway line abuts the entire western boundary of the West lands.

Proposal

The applicant is seeking an amendment to the Town of Milton Official Plan, Zoning By-law 016-2014, as amended and Zoning By-law 144-2003, as amended, to facilitate the development of two industrial subdivisions. Figure 2 to this Report shows the proposed concept plan for the East and West lands, which includes a total of 7 buildings and approximately 4,915,588 square feet of building area. Below is a description of the proposed development on the East and West lands.

East Lands

The Draft Plan of Subdivision for the East lands includes one industrial block, a stormwater management pond and buffer blocks, a grading block, a block for the relocated Aitken-Snow heritage house, a natural heritage system block (that contains a channel, woodlot and buffers), a new road block and three road widening blocks. Figure 3 to this Report includes the proposed Draft Plan of Subdivision for the East lands.

The proposed concept plan identifies four industrial buildings on the East lands that range in size (Building A - 513,345 square feet, Building B - 1,135,833 square feet, Building D - 1,183,149 square feet and Building F - 681,740 square feet). One access is proposed to Boston Church Road as well as two new accesses from James Snow Parkway over the Hydro One corridor lands connecting to a new road that would eventually become public right-of-way.

With respect to the tributary of the Middle Branch of the Sixteen Mile Creek, the applicant proposes to relocate the channel to the north on the subject lands. To support the relocated

Background

channel, the applicant completed a Comprehensive Environmental and Servicing Study (CESS) which is discussed in further detail later in this Report.

In order to facilitate the proposed development on the East lands, the applicant has submitted applications for an official plan amendment (proposed OPA) and zoning by-law amendments (proposed ZBAs). The purpose of the proposed OPA is to expand the boundary of the Urban Area and the Milton 401 Industrial/Business Park Secondary Plan area in the Town's Official Plan to include approximately 14.25 hectares (35.21 acres) of land. The lands to be added to the Urban Area, referred to as the northern sliver lands, will be designated Industrial Area and Natural Heritage System. The proposed OPA also includes changes to the existing Special Policy Area No. 42 on the subject lands to include a Broadcasting and Communication Facility use in the Industrial Area designation and a standalone Restaurant use in the Business Commercial Area designation. Appendix 1 to this Report includes the proposed OPA.

There are two proposed zoning by-law amendments for the East lands. The portion of the subject lands proposed to be brought into the Urban Area (referred to as the northern sliver lands) will be subject to the Town's Urban Zoning By-law 016-2014, as amended, while the portion of the subject lands that is within the Greenbelt Plan area will be subject to the Town's Rural Zoning By-law 144-2003, as amended.

The proposed ZBA to the Town's Rural Zoning By-law 144-2003, as amended, intends to remove the northern sliver lands from Town's Rural Zoning By-law 144-2003, as amended, and proposes to rezone the natural heritage system features to the appropriate Greenlands A and Greenlands B zones. No development is permitted within these zones.

The proposed ZBA to the Town's Urban Zoning By-law 016-2014, as amended, intends to add the northern sliver lands into the Urban Zoning By-law 016-2014, as amended, and rezone the subject lands to site-specific General Industrial (M2*343), site-specific Business Commercial Area (C6*344), Natural Heritage System (NHS), Open Space (OS) and Open Space 2 (OS-2) zones.

The site-specific M2*343 zone applies to the majority of the subject lands and proposes to include additional permitted uses to those permitted in the parent M2 zone and site-specific standards. The additional permitted uses include Broadcasting/Communication Facility, Courier/Messenger Service and Wholesale Operation uses. The site-specific standards include limits on gross floor area for certain uses, parking configuration for trucks, a reduced landscape buffer as well as a maximum building height of 35.0 metres.

The site-specific C6*344 zone applies to the relocated Aitken-Snow heritage house and proposes to include a Service and Repair Shop as an additional permitted use and establishes a maximum lot area of 4,300 square metres (1.06 acres) for the block.

Background

The NHS zone applies to the relocated watercourse, woodlot and woodlot buffer. The OS zone applies to the grading block between the Hydro One corridor lands and the proposed Street A and the OS-2 zone applies to the stormwater management pond, buffers and servicing block.

West Lands

The Draft Plan of Subdivision for the West lands includes an industrial block, a natural heritage system channel block and two road widening blocks. Figure 4 to this Report includes the proposed Draft Plan of Subdivision for the West lands.

The proposed concept plan identifies three industrial buildings on the West lands that also range in size (Building G - 326,605 square feet, Building H - 537,453 square feet and Building J - 537,453 square feet). The applicant's proposed concept plan identifies three industrial buildings on the West lands with three entrances from Boston Church Road and two entrances from No. 5 Side Road. The proposed entrances on No. 5 Side Road are for automobiles only (no trucks).

In order to facilitate the proposed development on the West lands, the applicant has submitted an application for a zoning by-law amendment (proposed ZBA). The proposed ZBA seeks to amend the Town's Urban Zoning By-law 016-2014, as amended, to rezone the subject lands to a site-specific General Industrial (M2*345) zone and the Natural Heritage System (NHS) zone.

The site-specific M2*345 zone includes additional permitted uses to those permitted in the parent M2 zone and site-specific standards. The additional permitted uses include Courier/Messenger Service, Wholesale Operation use and Stormwater Management Facility. The site-specific standards include limits on gross floor area for certain uses, parking configuration for trucks, a reduced landscape buffer as well as a maximum building height of 35.0 metres. The NHS zone applies to the channel block.

In support of the application, the following reports and additional materials (with their latest revised date) have been submitted:

- Record of Pre-Consultation Form, issued by the Town of Milton, dated April 28, 2021;
- Complete Application Forms for the Official Plan Amendment (East lands), Zoning By-law Amendments (East and West lands) and Draft Plans of Subdivision (East and West lands);
- Draft Plans of Subdivision (East and West lands), dated December 7, 2023, prepared by Glen Schnarr & Associates Inc.;
- Topographic Surveys (East and West lands), dated May 5, 2020, prepared by David B. Searles Surveying Ltd.;

Background

- Draft Official Plan Amendment (East lands), dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Draft Zoning By-law Amendments (East and West lands), dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Concept Plan, dated December 14, 2023, prepared by Orlando Corporation;
- Overall Landscape Plan, dated September 8, 2023, prepared by Orlando Corporation, GEI Consultants and Studio tla;
- Landscape Concept Plan, dated April 20, 2023, prepared by Orlando Corporation and Studio tla;
- Planning Justification Report, dated October 2021, prepared by Glen Schnarr & Associates Inc.;
- Planning Justification Report Addendums, dated April 2023 and December 2023, prepared by Glen Schnarr & Associates Inc.;
- Urban Design Brief, dated December 2023, prepared by Glen Schnarr & Associates Inc.;
- Traffic Impact Study, dated December 2023, prepared by TMIG;
- Tree Inventory and Tree Preservation Plan Report, dated April 6, 2021, prepared by Kuntz Forestry Consulting;
- Noise Feasibility Study, dated December 19, 2023, prepared HGC Engineering;
- Milton North Business Park Shadow Study, dated July 2023, prepared by Orlando Corporation;
- Heritage Impact Assessment, dated October 2021, prepared by Architects Rasch Eckler Associates Ltd.;
- Heritage House Graphics, Plans and Perspectives, dated July 22, 2021, prepared by Architects Rasch Eckler Associates Ltd. and Studio tla;
- Architectural Renderings, prepared by Stedel + Reich Architecture, dated September 2021;
- Minimum Distance Separation I Requirements for East Block, dated October 1, 2021, prepared by Colville Consulting Inc.;
- Comprehensive Environmental and Servicing Study, dated March 2023, prepared by TYLin;

Background

- Comprehensive Environmental and Servicing Study - Addendum No. 1 (West lands), dated November 2023, prepared by TYLin;
- Stage 1-3 Archaeological Assessment (East Parcel) Report, dated July 27, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 1-3 Archaeological Assessment (West Parcel) Report, dated July 29, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 4 Archaeological Assessment of the Andrew Aitkin Site (East lands) Report, dated September 14, 2020, prepared by Archaeological Assessments Ltd.;
- Stage 4 Archaeological Assessment of the Laidlaw 1 Site (West lands) Report, dated September 15, 2020, prepared by Archaeological Assessments Ltd.;
- Phase 1 Environmental Site Assessment (East Block), July 6, 2020, prepared by Terrapex;
- Phase 1 Environmental Site Assessment (West Block), July 3, 2020, prepared by Terrapex;
- Phase 2 Environmental Site Assessment (East Block), August 5, 2020, prepared by Terrapex;
- Phase 2 Environmental Site Assessment (West Block), dated July 31, 2020, prepared by Terrapex;
- Phase 1 and 2 Environmental Site Assessment Update Letter (East lands), dated August 15, 2023, prepared by Terrapex;
- Phase 1 and 2 Environmental Site Assessment Update Letter (West lands), dated August 15, 2023, prepared by Terrapex;
- Environmental Assessment Reports - Letter of Reliance (East and West lands), dated August 15, 2023, prepared by Terrapex; and,
- Environmental Site Screening Questionnaire (northern sliver lands only), May 31, 2021, prepared by Orlando Corporation.

The applicant has submitted a number of technical studies as noted above in support of the proposed development. The reports provide the basis to determine that Draft Plan approval should be granted for proposed Draft Plan of Subdivision for the East and West lands and that the Draft Plans are sufficiently advanced to support the proposed OPA and ZBAs. As a condition of Draft Plan approval, any additional technical information deemed to be required or reports that need to be updated or revised as noted through the review process for the

Background

East and West lands, will be required to be completed to the Town's satisfaction prior to subdivision registration.

Discussion

Provincial Policy Statement (PPS)

The Provincial Policy Statement (2020)(PPS) provides policy direction on matters of Provincial interest related to land use planning and development. As set out in the PPS, the Province's long-term prosperity depends on a coordinated approach to wisely managing change and promoting efficient development patterns. Section 1.1.3 of the PPS includes policies that apply to land use planning in settlement areas. This section of the PPS promotes efficient development patterns by directing growth to settlement areas, discouraging inefficient expansion of these areas, encouraging the effective use of existing and planned infrastructure and accommodating a range and mix of uses. The relevant policies in section 1.1.3 of the PPS reads as follows:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*
- g) are freight-supportive.*

The proposed OPA and the proposed development is consistent with the above-noted policies as the subject lands are/will be located within a settlement area (Town's Urban Area) and will contribute to employment uses within the community. The proposed development will utilize municipal services to service the proposed buildings.

Sections 1.1.3.8, 1.1.3.9, 2.3.5 and 2.3.6 of the PPS address settlement area expansions and removal of land from Prime Agricultural Areas and these policies apply to the northern sliver lands in the proposed OPA. The justification for a settlement expansion to remove the northern sliver lands from the Prime Agricultural Area and bring them into the Urban Area was addressed through Halton Region's approval of Regional Official Plan Amendment No. 52 (ROPA 52).

On June 15, 2022, Halton Region Council adopted ROPA 52, which had the effect of bringing the northern sliver lands into the Town of Milton Urban Area. In this regard, the proposed

Discussion

OPA will implement ROPA 52 in the Town's Official Plan. Staff are satisfied that the proposed development is consistent with the PPS policies that address settlement area expansions and the removal of land from Prime Agricultural Areas.

Section 1.3 of the PPS also contains policies related to Employment and Employment Areas and the relevant subsections read as follows:

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.3 Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas.

1.3.2.6 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

The proposed development can be adequately serviced by planned upgrades to Halton Region's municipal water and wastewater infrastructure. The addition of the northern sliver lands is consistent with the Provincially Significant Employment Zone (PSEZ) mapping prepared by the Province and in accordance with the Region's Official Plan Urban Area established by ROPA 52. The proposed development is also in proximity to the Highway 401 corridor, a primary goods movement and transportation corridor, with uses that complement and make use of the access to a major goods corridor. On this basis, it is Staff's opinion that the proposed development is consistent with the above-noted policies.

Section 2.1 of the PPS includes policy directives related to preservation and protection of natural heritage features and functions, as follows:

Discussion

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The applicant prepared a Comprehensive Environmental and Servicing Study (CESS) that identified natural features such as candidate significant valley lands, significant woodlands, regionally significant wetlands, habitat for endangered or threatened species, significant wildlife habitat and fish habitat. None of these features were identified within lands proposed to be developed with industrial uses.

The CESS also identified and assessed drainage features on the subject lands. On the West lands, an existing drainage feature is present and is proposed to be realigned to the west side of the property, parallel to the Canadian National Railway line.

On the East lands, a number of drainage features are present and two watercourses traverse the property as well. The watercourses include the Middle Branch of the Sixteen Mile Creek located in the northeastern corner of the East lands (within the Greenbelt Plan area) and the Tributary of the Middle Branch of the Sixteen Mile Creek. The Middle Branch is proposed to be maintained in its current location in the Greenbelt Plan area, while the Tributary is proposed to be realigned to the north on the East lands.

The proposed OPA identifies natural features within the natural heritage system and the proposed ZBAs include these areas in the Natural Heritage System (NHS), Greenlands A (GA) and Greenlands B (GB) zones where development is not permitted. The proposed ZBAs will ensure that the natural heritage features on the subject lands will be protected from development. In this regard, Staff are satisfied that the proposed development is consistent with the natural heritage policies in the PPS.

Section 2.6 of the PPS contains policies for cultural heritage and archaeology and the relevant subsections read as follows:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The applicant completed Stage 1-4 Archaeological Assessments for the subject lands. On the East lands, the assessment identified the Aitken-Snow heritage house and its surroundings as an area of significance. On the West lands, the Laidlaw I site was identified

Discussion

as an area of significance. Both sites were stripped of topsoil, fully excavated and catalogued and the Laidlaw I site was determined to have no further cultural value.

On May 9, 2022, Town Council approved the relocation of the Aitken-Snow heritage house and barn timber frames and further directed staff to prepare a Heritage Easement Agreement (HEA) to preserve the house and timber frames as part of the conservation strategy. On September 7, 2022, the applicant entered into the HEA with the Town of Milton and posted financial securities to ensure that the relocation and restoration works are completed in accordance with the HEA. In October 2023, the applicant moved the Aitken-Snow heritage house and barn timber frames to the southeast corner of the subject lands on Esquesing Line, adjacent to the Hydro One corridor lands. In this regard, Staff are satisfied that the proposed development is consistent with the cultural heritage and archaeology policies in the PPS.

On the basis of the above, staff are of the opinion that the development applications submitted for the subject lands are consistent with the Provincial Policy Statement.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)(Growth Plan), as amended, is a Provincial plan to manage growth and development in a way that supports economic prosperity, protects the environment and helps achieve complete communities. The Growth Plan builds on the policies in the PPS.

The subject lands are located within the Designated Greenfield Area designation on Schedule 2 - A Place to Grow Concept of the Growth Plan. New development taking place in Designated Greenfield Areas is required to be planned, designated, zoned and designed in a manner that contributes to creating a complete community and provides a diverse mix of land uses including residential and employment uses to support vibrant communities.

Section 2.2.5 of the Growth Plan includes policies that apply to employment lands and section 2.2.5.1 reads as follows:

2.2.5.1 Economic development and competitiveness in the GGH will be promoted by:

- a) Making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*
- b) Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c) Planning to better connect areas with high employment densities to transit; and*
- d) Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*

Discussion

2.2.5.5 Municipalities should designate and preserve lands within settlement areas located adjacent to or near major goods movement facilities and corridors, including major highway interchanges, as areas for manufacturing, warehousing and logistics, and appropriate associated uses and ancillary facilities.

The proposed development is/will be located within a settlement area that will be serviced with municipal water and wastewater systems and will provide for employment opportunities that enhance the economic vitality of the community. The proposed development is also located in a planned employment area adjacent to major goods movement facilities and corridors that allow the development to utilize surrounding transportation infrastructure that has been designed to sufficiently accommodate freight transportation movement.

In addition to the above, Section 2.2.5.12 and 5.2.2 d) of the Growth Plan enable the Ministers of the Crown to identify Provincially Significant Employment Zones (PSEZs), which are areas intended to support long-term planning for job creation and economic development. In this regard, the Province identified PSEZs across municipalities that are subject to the Growth Plan and these areas are to be included in Official Plans. Halton Region and the Town of Milton have both included employment areas in their respective Official Plans.

The majority of the subject lands are within a PSEZ. The entirety of the West lands are within the PSEZ as well as most the East lands (including the northern sliver lands), save and except for the portion of the East lands that is within the Provincial Greenbelt Plan area. The proposed OPA intends to bring these lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area consistent with ROPA 52 and the PSEZ mapping in order to facilitate development on the subject lands.

Sections 2.2.8.3, 2.2.8.5 and 2.2.8.6 of the Growth Plan includes policies that apply to the expansion of settlement area boundaries. As noted in the PPS section, the approved ROPA 52 provided the justification to expand the Town's Urban Area to include the northern sliver lands.

Section 4.2.2 of the Growth Plan contains policies for the natural heritage system and section 4.2.2.3 reads as follows:

4.2.2.3 Within the Natural Heritage System for the Growth Plan:

- a) new development or site alteration will demonstrate that:*
- b) there are no negative impacts on key natural heritage features or key hydrologic features or their functions;*
 - ii. connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be*

Discussion

maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;

- iii. the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible.*

As noted earlier, the completed CESS has documented and assessed the existing natural heritage features on the subject lands and identified the extent of these features in order to ensure their protection from future development. The development applications have implemented the direction in the CESS to ensure that natural heritage features will be protected from development.

Section 4.2.7 of the Growth Plan includes a policy that addresses cultural heritage resources and it reads as follows:

4.2.7.1 Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

As noted in the PPS section, the Aitken-Snow heritage house has been relocated and the applicant has entered into a HEA and posted financial securities to ensure that the relocation and restoration works are completed in accordance with the HEA.

On the basis of the above, staff are of the opinion that the development applications submitted for the subject lands conforms to the policies of the Growth Plan.

Greenbelt Plan (2017)

The Greenbelt Plan (2017) guides urban structure, including where and how future growth should be accommodated and what must be protected for current and future generations. The Greenbelt Plan identifies where urbanization should not occur and aims to provide permanent protection of the agricultural land base and ecological features and functions occurring within the Greenbelt Plan area.

The northern portion of the East lands is located within the Greenbelt Plan area and is designated Protected Countryside Area. The East lands are also within the Natural Heritage System overlay in the Greenbelt Plan. No development is proposed on lands within the Greenbelt Plan area, however a realigned bioswale and replicated table wetland are proposed within the Greenbelt Plan area. The Greenbelt Plan's definition of Green Infrastructure includes the proposed features and are permitted within the Protected Countryside Area of the Greenbelt Plan.

Section 3.2.2 of the Greenbelt Plan includes policies that apply to the natural heritage system and the relevant subsections read as follows:

Discussion

- a) *There will be no negative impacts on key natural heritage features or key hydrologic features or their functions;*
- b) *Connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement to native plants and animals across the landscape;*
- c) *The removal of other natural features not identified as key natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;*

As detailed in the CESS, the proposed bioswale is designed to convey discharge from the wetland in the same manner as the current headwater drainage feature does in an effort to avoid any changes in wetland hydrology due to outflow conditions. The proposed design of the replicated table wetland includes a shallow marsh intended to replicate the function of the feature that currently exists. In addition, the proposed location of both the proposed bioswale and replicated table wetland is within existing agricultural fields, which means that there is no removal of natural heritage features and hydrologic features from the Greenbelt Plan area.

On the basis of the above, staff is of the opinion that the proposed development conforms to the policies of the Greenbelt Plan.

Halton Region Official Plan

The subject lands are designated Urban Area and Regional Natural Heritage System and are within the Employment Area overlay in the Halton Region Official Plan (ROP). On June 15, 2022, Halton Region approved Regional Official Plan Amendment No. 52 (ROPA 52) which had the effect of bringing the northern sliver lands into the Urban Area in a manner that is consistent with the Provincially Significant Employment Zone mapping as well as Provincial and Regional growth plan objectives and policy directives.

All development is subject to the policies of the ROP. Section 76 of the ROP states that the permitted uses in the Urban Area are to be in accordance with a Local Official Plan and Zoning By-law. The proposed OPA will implement ROPA 52 in the Town of Milton Official Plan by including it within the Town's Urban Area and within the Milton 401 Industrial/Business Park Secondary Plan area, which is designated for employment uses.

Section 77(6) of the ROP requires Local Official Plans to specify development phasing strategies within the Urban Area, which are consistent with the ROP, giving top priority to development of employment lands and completion of existing communities. The majority of the subject lands are located within the approved Milton 401 Industrial/Business Park Secondary Plan, with the exception of the northern sliver lands and the portion of the East

Discussion

lands within the Greenbelt Plan. staff is of the opinion that the proposed development OPA to facilitate employment growth on the subject lands is appropriate and conforms to the policies of the Halton Region Official Plan.

Regional Planning staff has reviewed the proposed OPA, zoning by-law amendments and Draft Plans of Subdivision for the East and West lands and are of the opinion that the applications are consistent with the Provincial Policy Statement and conform to the Growth Plan, Greenbelt Plan and Halton Region Official Plan.

Town of Milton Official Plan

The majority of the subject lands are currently designated Industrial Area and Business Commercial Area on Schedule B: Urban Area Land Use Plan in the Town of Milton Official Plan (Town Official Plan). On August 23, 2021, Town of Milton Council adopted Official Plan Amendment No. 67 (OPA 67) which brought the majority of the subject lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area. OPA 67 also established Site-Specific Policy Area No. 42 that included policy direction to guide future development on the subject lands and certain surrounding lands and set out specific requirements and permitted uses for the Aitken-Snow heritage house.

The northern sliver lands are currently designated Agricultural Area and Natural Heritage System on Schedule A: Rural Land Use Plan in the Town's Official Plan. On the same Schedule A, the lands to the north of the northern sliver lands on the subject lands are identified as being within the Protected Countryside Area and Greenbelt Natural Heritage System overlay in the Greenbelt Plan.

The Industrial Area and Business Commercial Area designations are employment area designations. Section 3.7 of the Town's Official Plan addresses employment areas and characterizes these areas as providing a major source of employment opportunities within the Town of Milton by permitting a range of business and economic activities.

Section 3.9.2 of the Town's Official Plan sets out the permitted uses in the Industrial Area designation, which include a range of light and general industrial uses. The Industrial Area designation also permits accessory service, wholesale, retail and office uses directly related to the industrial use. Office use, research and development and technology uses (excluding biomedical waste) are permitted in a one-to-two storey multi-unit building. However, a multi-unit building shall not include an office building. Uses that are considered to represent a significant health or safety hazard to residents or the natural environment are also not permitted.

Section 3.9.3 of the Town's Official Plan includes policies that apply to development within the Industrial Area and section 3.9.3.1 reads as follows:

Discussion

3.9.3.1 Development within areas designated "Industrial Area" within the Established Urban Area on Schedule "B" or within an approved Secondary Plan, shall be permitted subject to:

- a) the provisions of the applicable Secondary Plan as outlined within Part C of this Plan;*
- b) the submission of a development plan which demonstrates that the proposed development can be physically integrated with existing and proposed uses of adjacent lands, including lands outside the Industrial Area designation;*
- c) the proposed development complies with the Community-wide policies of Section 2.0 of this Plan; and,*
- d) applicants can demonstrate that there is adequate wastewater and water treatment capacity to accommodate the proposed use.*

Staff are of the opinion that the development proposal is consistent with the above-noted policy. The proposed development concept illustrates the site layout that shows how these lands can be integrated with adjacent lands. The concept plan also demonstrates integration with lands outside of the Secondary Plan area by providing for substantial setbacks from existing non-employment uses outside of the Secondary Plan area.

Staff have reviewed the community-wide policies in section 2.0 of the Town's Official Plan and are also of the opinion that the development proposal satisfies the applicable policies. The applicant is proposing a high quality of landscaping treatment to the periphery of the subject lands. Site Plan approval will be required for all proposed buildings and will include a subsequent review of site layout, circulation, building location, architectural elevations and landscaping requirements. With respect to servicing, the applicant has demonstrated that there is adequate water and wastewater capacity to service the proposed development following upgrades to the municipal services that will extend to the subject lands.

A small portion of the subject lands where the relocated Aitken-Snow heritage house is now situated is designated Business Commercial Area on Schedule B - Urban Land Use Plan in the Town's Official Plan. Section 3.7.6 of the Town's Official Plan sets out the permitted uses in the Business Commercial Area designation. However, Special Policy Area No. 42 restricts the permitted land uses at this location to only include business and professional offices and service commercial uses.

The northern sliver lands are currently designated Agricultural Area in the Town's Official Plan. Section 5.3.3.9 of the Town's Official Plan indicates that expansions to the Urban Area are only undertaken by Halton Region and that any changes to the new Urban Area Boundary for the Town of Milton, as determined by Halton Region, shall be incorporated by an amendment to the Town's Official Plan. As noted previously in this Report, Halton Region adopted ROPA 52, which had the effect of bringing the northern sliver lands into the Town's Urban Area in the Halton Region Official Plan. The proposed OPA intends to implement

Discussion

ROPA 52 by bringing the northern sliver lands into the Town's Urban Area and Milton 401 Industrial/Business Park Secondary Plan area and designate the area as Industrial Area and Natural Heritage System.

Section 4.9.3 of the Town's Official Plan includes policies that direct the Town to implement a systems based approach for the lands within the natural heritage system. This approach includes prohibiting development and site alteration within certain natural features in order to protect features and their ecological functions as well as provide for enhancements to ecological functions where possible. The portion of the northern sliver lands proposed to be designated Natural Heritage System will ensure that natural heritage features and their associated functions will be protected and preserved.

In addition to the above, a portion of the subject lands is also within the Greenbelt Natural Heritage System. Section 4.10 of the Town's Official Plan includes policies that apply to the Greenbelt Natural Heritage System and states that it includes the same features as the Regional Natural Heritage System. As with the lands proposed to be designated Natural Heritage System, there is no development proposed within the Greenbelt Natural Heritage System.

Milton 401 Industrial/Business Park Secondary Plan

Most of the subject lands are designated Industrial Area on Schedule C.2.B - Milton 401 Industrial/Business Park Secondary Plan (Secondary Plan). A small portion of the subject lands where the relocated Aitken-Snow heritage house is now situated is designated Business Commercial Area.

The Secondary Plan permits uses in these designations in the same manner as set out in the previous section of in this Report. In the Industrial Area designation, section C.2.5.3 of the Secondary Plan indicates that the permitted uses are the same as those set out in Section 3.9 of the Town's Official Plan. Section 2.5.1.2 sets out permitted uses in the Business Commercial Area designation, however the Special Policy Area No. 42 restricts the uses for the relocated Aitken-Snow heritage house.

Section 4.11.3.42 of the Town's Official Plan establishes policies that apply to Special Policy Area No. 42, which includes the subject lands, and includes development application requirements for lands within this area. The policies speak to required studies to assess traffic impacts to the local road network (James Snow Parkway, Boston Church Road and Esquesing Line) as a result of proposed development as well as financing and construction responsibilities to implement any required upgrades to the local road network. There is also a policy that includes the requirement to complete a Comprehensive Environmental and Servicing Study to assess the existing conditions and potential impacts of proposed development with respect to hydrology, hydraulics, hydrogeology, fluvial processes, erosion

Discussion

and slope stability and the natural environment (including, but not limited to, ecological functions).

With respect to the requirements above, the applicant has submitted a Traffic Impact Study that has been reviewed by Regional and Town staff and has also been peer reviewed. The Traffic Impact Study and other road-related improvements are discussed in further detail later in this Report. The CESS has also been completed to the satisfaction of Halton Region, Conservation Halton and the Town of Milton and has been implemented in the proposed OPA, ZBAs and on the Draft Plans of Subdivision.

In addition to the above, Special Policy Area No. 42 includes policy language that enables the relocating of the Aitken-Snow heritage house and also sets out the only permitted uses which include business and professional offices and service commercial uses that are complementary to and serve the employment area.

The proposed OPA intends to amend Special Policy Area No. 42 to specifically include a Broadcasting/Communication Facility as a permitted use on the East lands. Town staff are of the opinion that the proposed use is an employment use and would be compatible with other uses permitted in the Industrial Area designation on the East lands.

The proposed OPA also includes an amendment to Special Policy Area No.42 as it relates to the Business Commercial Area designation on the subject lands. In this regard, the applicant is proposing to add a standalone restaurant as a permitted use in the Business Commercial Area designation that applies to the relocated Aitken-Snow heritage house. Town staff are supportive of the proposed standalone restaurant being proposed for the Aitken-Snow heritage house.

On the basis of the above, Town staff are satisfied that the proposed applications conform/will conform to the Town of Milton Official Plan.

Zoning By-law 144-2003, as amended

On the East lands, the northern sliver lands and those within the Greenbelt Plan area are currently zoned Agricultural (A1) and Greenlands A (GA) within the Town's Rural Zoning By-law 144-2003, as amended. The A1 zone permits agricultural and rural uses, a detached dwelling, home industry and home occupation uses as well as veterinary clinics and veterinary hospitals. The GA zone only permits existing uses and conservation uses.

The applicant has made an application to amend the zoning on the East lands to remove the northern sliver lands from the Town's Rural Zoning By-law 144-2003, as amended, and add them into the Town's Urban Zoning By-law 016-2014, as amended. In addition, the ZBA intends to rezone lands within the Greenbelt Plan area to the Greenlands A (GA) zone and Greenlands B (GB) zones in accordance with the CESS. The GB zone applies to lands

Discussion

identified on the Draft Plan as woodlot and buffer area and the GA zone applies to lands that are between the realigned channel and the buffer area.

Appendix 2 to this Report includes the proposed ZBA to the Town's Rural Zoning By-law 144-2003, as amended, for the East lands.

Staff is satisfied that the proposed ZBA for the East lands implements the CESS and the Draft Plan of Subdivision for the East lands.

Zoning By-law 016-2014, as amended

The majority of the subject lands are zoned Future Development (FD) and a portion are within the Natural Heritage System (NHS) zone under the Town of Milton Zoning By-law 016-2014, as amended. The FD zone only permits existing uses, buildings and structures. A rezoning is required to permit new uses, buildings or structures. Development is generally not permitted within the NHS zone.

On the East lands, the applicant has made an application for a zoning by-law amendment to rezone the subject lands to a site-specific General Industrial (M2*343) zone, site-specific General Commercial (C6*344) zone, Open Space 2 (OS-2) zone, Open space (OS) zone and Natural Heritage System (NHS) zone.

The M2*343 zone applies to the majority of the subject lands and it includes three additional permitted uses: broadcasting/communication facility, courier/messenger service and a wholesale operation. Special provisions are proposed for this zone including: a maximum building height of 35 metres, an exemption from restrictions on the type of building where an office use is permitted, an increase in the permitted gross floor area for office uses and retail sale of goods, relief from parking requirements as it relates to the parking of trucks and a reduction in the required landscape buffer.

The C6*344 zone applies to the block where the Aitken-Snow heritage house has been relocated and includes a service and repair shop as an additional permitted use. An alternative maximum lot area of 4,300 m² (1.06 acres) is also included as a special provision.

The OS zone applies to a grading block between the proposed Street A and the Hydro One corridor lands, while the OS-2 zone is applies to the stormwater management pond block, buffer blocks and servicing block. The NHS zone applies to the lands that are within the natural heritage system block on the proposed Draft Plan of Subdivision for the East lands, and as identified through the CESS.

Appendix 3 to this Report includes the proposed ZBA to the Town's Urban Zoning By-law 016-2014, as amended, for the East lands.

Discussion

On the West lands, the applicant made an application for a zoning by-law amendment to rezone the subject lands with to a site-specific General Industrial (M2*345) zone and Natural Heritage System (NHS) zone.

The M2*345 zone includes three additional permitted uses: courier/messenger service, wholesale operation and a stormwater management facility. The stormwater management facility on the West lands is proposed as a private stormwater management pond as it does not convey public drainage.

The NHS zone applies to a channel block along the western portion of the West lands, parallel with the CN Railway line.

Appendix 4 to this Report includes the proposed ZBA for the West lands.

Staff is satisfied that the proposed ZBAs for the East lands and West lands conforms to the Town's Official Plan and implements the CESS and Draft Plan of Subdivisions for both the East West lands.

Site Plan Control

Should the development applications be approved, the applicant is required to obtain site plan approval prior to any building permits being issued. Detailed site plan drawings addressing matters such as building elevations, lot grading and drainage, site design, lighting and landscaping will be required 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.

Public Consultation

On February 24, 2022, the applicant held a virtual Public Information Centre (PIC) session. The applicant provided a presentation of the proposed development applications followed by a period for questions and discussion. The purpose of the PIC was to provide the public with an informal opportunity to not only view the drawings and concepts illustrating the proposal, but also to ask questions of the applicant and technical consultants and learn about the application process.

Approximately 20 individuals attended the virtual PIC and 5 individuals from the public provided comments. Town staff were present at the PIC as well. Concerns were raised about the ongoing site alteration works, traffic impacts, potential impacts to groundwater and stormwater management and drainage onto Esquering Line. Following the PIC, Town staff also received comments about the existing public transit service levels in the Milton 401 Industrial/Business Park Secondary Plan area.



Discussion

Notice for the statutory Public Meeting was provided pursuant to the requirements of the Planning Act on May 26, 2022. The statutory Public Meeting was held on June 20, 2022. No members of the public spoke to the proposed development applications.

Agency Circulation

The initial applications were circulated to internal and external agencies in December 2021, with subsequent resubmissions in April 2023 and December 2023.

Region of Halton

Regional staff has considered the applications in the context of the Provincial Policy Statement, the Growth Plan, the Greenbelt Plan and the Halton Region Official Plan. Regional staff are of the opinion that the applications are consistent with and conform to the relevant planning documents and represent good planning from a Regional perspective. Halton Region through the Chief Planning Official exempted the proposed Official Plan Amendment from Regional approval, in accordance with By-law No. 19-99. Regional staff have also indicated that they are supportive of the implementing zoning by-law amendments. Halton Region has also provided Draft Plan conditions for the East lands and West lands in support of Draft Plan approval.

Conservation Halton

Conservation Halton staff has reviewed the applications in accordance with their responsibilities under Ontario Regulation 162/06 and their Provincially delegated responsibilities under Ontario Regulation (686/21) (Provincial interests under the PPS). In a letter dated April 28, 2023, Conservation Halton staff advised that they were satisfied with the third submission of the CESS (dated March 2023) and the associated limits of the regulated natural hazards and natural features on the subject lands. Conservation Halton staff has indicated that they are satisfied that all regulated natural hazards and natural heritage features with associated allowances/setbacks/other areas as described in the CESS will be contained within appropriately sized Natural Heritage System blocks on the Draft Plans, on designations within the proposed OPA and zones in the proposed ZBAs. Conservation Halton has also provided Draft Plan conditions for the East and West lands in support of Draft Plan approval.

Town of Milton Engineering

The Town's Development Engineering staff has reviewed the applications and offers no objection to the approval of the proposed OPA and proposed ZBAs. Development Engineering staff will continue to work with the applicant to ensure that the technical requirements are satisfied through Draft Plan conditions for Draft Plan approval, subdivision registration and future Site Plan Approvals.

Discussion

The Town's Transportation staff has reviewed the submitted Traffic Impact Study and offers no objections to the approval of the proposed OPA and proposed ZBAs. However, the Town's Transportation staff has identified concerns with the two accesses proposed onto No. 5 Side Road as shown on the proposed Concept Plan. Access to the subject lands will be addressed through detailed design.

Town of Milton - Infrastructure

The Town's Infrastructure staff has reviewed the applications and offers no objection to the approval of the proposed OPA and proposed ZBAs.

To support the proposed development, the applicant is proposing to redesign Boston Church Road between James Snow Parkway to No. 5 Side Road from a rural road with a 20-metre right-of-way to a collector road with a 26-metre right-of-way. The proposed redesigned road includes a sidewalk, landscaping and utilities on lands owned by the applicant.

The applicant has submitted proposed road cross-sections and design concepts for Town staff to review and Town staff have had several meetings with the applicant to discuss the options provided. Through detailed design, Town staff will work with the applicant to ensure that the redesign of Boston Church Road includes adequate active transportation facilities, streetscape elements, protection for the accommodation of future transit amenities and other requirements, to the satisfaction of the Town.

Town of Milton - Fire Department

The Town's Fire Department staff has reviewed the applications and offers no objection to the approval of the proposed applications. Fire Department staff will require additional information regarding fire hydrants and fire department connection placements that to be reviewed as part of future applications for Site Plan approval.

Town of Milton - Community Services

The Town's Parks and Facility Planning staff has reviewed the applications and notes that cash-in-lieu (CIL) of land for park and/or other public recreational purposes is required at a rate of 2% of the land value, to be determined by way of a site-specific appraisal (for each block/phase) at the Owner's expense. The building phase includes all privately owned land within the limits of each future site plan application. The required CIL of parkland is payable prior to the issuance of the first above-grade building permit (for the first building to be constructed in each block/phase, inclusive of conditional or partial permits) and will be subject to the requirements in effect at that time.

Issues of Concern

Comprehensive Environmental Servicing Study

As required by the Town's Official Plan, the applicant completed a Comprehensive Environmental and Servicing Study (CESS) in support of the proposed applications. In the absence of an existing Subwatershed Impact Study, the purpose of the CESS is to assess the existing conditions and potential impacts of the proposed development with respect to the natural environment and ecological functions, hydrology, hydraulics, fluvial processes, erosion and hydrogeology. As a result of the CESS, the proposed Draft Plans for the East lands and the West lands have been updated to include block sizes of sufficient size to capture the extent of the natural heritage system, stormwater management pond and buffers as well as other servicing requirements. The zone limits on the proposed ZBAs were prepared based on the Draft Plans for the East lands and the West lands.

Halton Region, Conservation Halton and Town of Milton staff were involved in the review of the CESS. On February 22, 2024, the Town of Milton deemed the CESS as substantially complete. The CESS requirements will be implemented through Draft Plan Approval and detailed design.

Hydro One Corridor Crossings

In order to access the East lands, the proposed development includes two proposed crossings over the Hydro One corridor lands. These corridor crossings, in conjunction with a proposed road on the East lands, will form a new public right-of-way owned by the Town of Milton. Approval for these crossings is required from Hydro One Networks Inc. as well as Infrastructure Ontario.

Infrastructure Ontario, on behalf of the Ministry of Government and Consumer Services, is responsible for the execution of all secondary land use agreements on the Hydro One corridor lands, subject to the technical approval of Hydro One Networks Inc.. Hydro One Networks Inc. is responsible for reviewing the crossings from a technical perspective to ensure that any proposal will not negatively impact or interfere with transmission capacity, reliability or safety. Infrastructure Ontario has its own due diligences to complete when it comes to the sale application for the Hydro One corridor crossings and these include archaeological and environmental assessments, Duty to Consult and an Order in Council.

On February 3, 2023, Hydro One Networks Inc. issued a letter to the applicant indicating that the technical review is complete and provided a conditional approval for the Hydro One corridor crossings. The applicant has been working towards satisfying the conditions set out in the conditional approval letter and will continue to work with Infrastructure Ontario through their approval process.

Potential Noise Impacts

In support of the proposed development, the applicant completed a Noise Feasibility Study,

prepared by HGC Engineering, to examine the potential noise impacts resulting from the proposed industrial development on both the East and West lands. The Noise Feasibility Study used predictive noise modelling to assess potential impacts from mechanical equipment and trucking activities. The Noise Feasibility Study assessed equipment and trucking activities at the 'worst-case' busiest operating hour and found that sound levels may exceed acceptable levels of noise on surrounding lands.

In response to the above, the Noise Feasibility Study recommended three noise barriers on the East lands between the north side of the buildings and the proposed new channel and two noise barriers on either side of the proposed access at the southeast corner of the West lands. Noise barriers could include an earthen berm or a noise wall on top of an earthen berm.

The applicant's Noise Feasibility Study was peer reviewed by WSP. The peer review determined that the proposed noise controls will adequately address noise generated from the proposed development. The location and height of the recommended noise barriers are identified on the proposed Concept Plan for the East and West lands and will be reviewed by Town staff through detailed design.

Increased Building Height

The proposed ZBAs include a maximum building height of 35 metres where the parent M2 zone permits a maximum of 15 metres. The proposed applications are seeking an increase in building height for both the East and West lands to provide flexibility that responds to recent building trends for the industrial market which in turn attract a wider range of suitable tenants. In order to assess any potential impacts from an increased building height, the applicant completed a Shadow Study in accordance with the Town's Terms of Reference for a Sun Shadow Analysis. The purpose of the Sun Shadow Analysis is to assess the potential of a shadow cast by a proposed development on its surroundings. The analysis is to determine whether there are undue shadow impacts on the subject lands or surrounding lands including on building facades, private and public outdoor amenity and open spaces, public parkland, sidewalks and other components of the public realm.

The test dates for a Sun Shadow Analysis are April 21, June 21 and September 21. The following criteria, relevant to the proposed development, must demonstrate that:

- 60% of the opposing sidewalks receive direct sunlight for at least 3 consecutive hours (between 10 am and 3 pm); and,
- Private front yards, rear yards, windows and rooftop patios receive sunlight for at least two continuous hours (between 10 am and 3 pm).

Based on the Sun Shadow Analysis results, the above criteria have been satisfied. Staff are of the opinion that the proposed maximum building height of 35 metres is acceptable.

Ongoing Site Alteration



Discussion

At the PIC, concerns were raised over dust and dirt on Boston Church Road when site alteration began on the subject lands. To date, the Town has issued site alteration permits for a temporary sediment pond and grading works on the subject lands. The Town's Road Fouling By-law 115-2005 includes standards that apply to cleaning up dirt and debris, while the Town's Noise By-law 133-2012 set outs requirements with respect to acceptable noise and working hours. Both of these by-laws are applicable to the site alteration permits issued for the subject lands.

To date, the applicant has been responsive to Development Services staff in responding to the complaints received by the Town related to ongoing site alteration works. Town staff will continue to work with the applicant should the Town receive future complaints related to ongoing site alteration works.

Traffic Impacts and the Local Road Network

At the PIC, concerns were expressed regarding the impact of the proposed development on Boston Church Road, No. 5 Side Road and the surrounding local road network. The applicant submitted a Traffic Impact Study, prepared by TYLin, in support of the applications. In addition to the reviews completed by Town staff, an external peer review of the TIS was also undertaken by CIMA+.

Automobile traffic will be able to access the proposed development from James Snow Parkway, Boston Church Road and No. 5 Side Road. On the West lands, truck traffic will be restricted to the accesses along Boston Church Road. On Esquesing Line, the only access will be to the relocated Aitken-Snow heritage house.

As part of the proposed development, the applicant is proposing to reconstruct the existing rural section of Boston Church Road between James Snow Parkway and No. 5 Side Road to its ultimate right-of-way width on lands that they currently control and exclusive of lands owned by others. The reconstructed Boston Church Road would include boulevard treatments such as sidewalks, landscaping and utilities.

With respect to the West lands, the TIS indicated that the proposed development is projected to generate 241 vehicle trips (212 automobiles and 29 heavy vehicles) during the weekday AM peak hour and 270 vehicle trips (228 automobiles and 42 heavy vehicles) during the PM peak hour. Given the truck restrictions on No. 5 Side Road, the TIS did not assign any truck traffic to No. 5 Side Road and assumed that all heavy vehicles would access the site from James Snow Parkway and Boston Church Road. The proposed Concept Plan also identifies truck accesses to the West lands only from Boston Church Road.

With respect to the East lands, the TIS indicated that the proposed development is projected to generate 597 vehicle trips (526 automobiles and 71 heavy vehicles) during the weekday

Discussion

AM peak hour and 669 vehicle trips (565 automobiles and 104 heavy vehicles) during the PM peak hour.

The TIS also assessed all of the intersection movements at each study intersection on the subject lands. The TIS recommended signalized intersections at the new accesses to the East lands from James Snow Parkway as well as at Esquesing Line and No. 5 Side Road. No other intersection improvements and/or upgrades were recommended.

In addition to the above, the TIS recommended the following turn lanes:

- Signalized accesses onto James Snow Parkway: eastbound left-turn lane and westbound right-turn lane;
- West lands access 1 and No. 5 Side Road - westbound left-turn lane; and,
- Esquesing Line and No. 5 Side Road - westbound left-turn lane and southbound left-turn lane.

The Town's Transportation staff, in conjunction with the peer review, reviewed the Traffic Impact Study and are satisfied that the existing road structure, addition of signalized intersections and turning lanes as well as other road upgrades will effectively support new trips generated by the proposed development.

Potential Groundwater Impact

At the PIC, concerns were raised about the impacts to groundwater in the area and on private wells that are located on rural residential properties in the surrounding area. Prior to the submission of the development applications, the applicant initiated a Voluntary Water Well Monitoring Program, conducted by Palmer Environmental Consulting Group, to measure groundwater from existing wells within 250 metres of the development boundary.

The hydrogeological conditions of the subject lands is documented in the CESS and the hydrogeology investigations identified low permeability soil in the area. The CESS notes that findings from the hydrogeological conditions indicate that construction impacts are not anticipated from the proposed development due to minimal to no groundwater dewatering required for nearby infrastructure (e.g. the stormwater management pond) and the low permeability soil in the area.

Monitoring is expected to continue through the construction phase of the project. In the event that there are changes in the quality or quantity of water in any monitored wells, an investigation would be carried out and if attributed to the construction activity on the subject lands, the applicant would be responsible for rectifying the situation.

Drainage and Stormwater Management



Discussion

At the PIC, concerns were raised about the size of the stormwater management pond on the East lands (adjacent to Esquesing Line) and drainage onto Esquesing Line. The proposed development includes a stormwater management pond adjacent to Esquesing Line as well as a realigned watercourse that travels under Esquesing Line and across properties to the east.

The stormwater management system for the proposed development is required to maintain or decrease current discharge rates to the receiving watercourse from a range of storm events up to a Regulatory 100-year storm event. As part of the CESS, the applicant was required to provide specifications for the stormwater management pond and the realigned watercourse on the East lands to determine the outlet and channel configuration near the Esquesing Line culvert to address any adverse drainage concerns for areas downstream of the proposed development. Halton Region, Conservation Halton and the Town of Milton are satisfied that the CESS has demonstrated that there will be no adverse impacts to downstream properties from proposed development drainage. Engineering staff will review the stormwater management pond and realigned watercourse through detailed design.

Transit Service Levels

Following the PIC, Town staff also received concerns regarding the existing public transit service levels in the Milton 401 Industrial/Business Park Secondary Plan area. Milton Transit OnDemand currently serves the Milton 401 Industrial/Business Park Secondary Plan area. Milton Transit OnDemand is a flexible shared-ride service that provides transit without following a fixed route or schedule. The Town's Transit staff have indicated that the subject lands are currently outside of the Milton Transit service area and beyond coverage standards until such time that implementation targets are achieved. If targets are achieved, the Town may introduce and deliver transit services and facilities such as bus stops, illuminated advertising shelters, accessible boarding/alighting pads, benches and other associated amenities on any Town right-of-way.

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

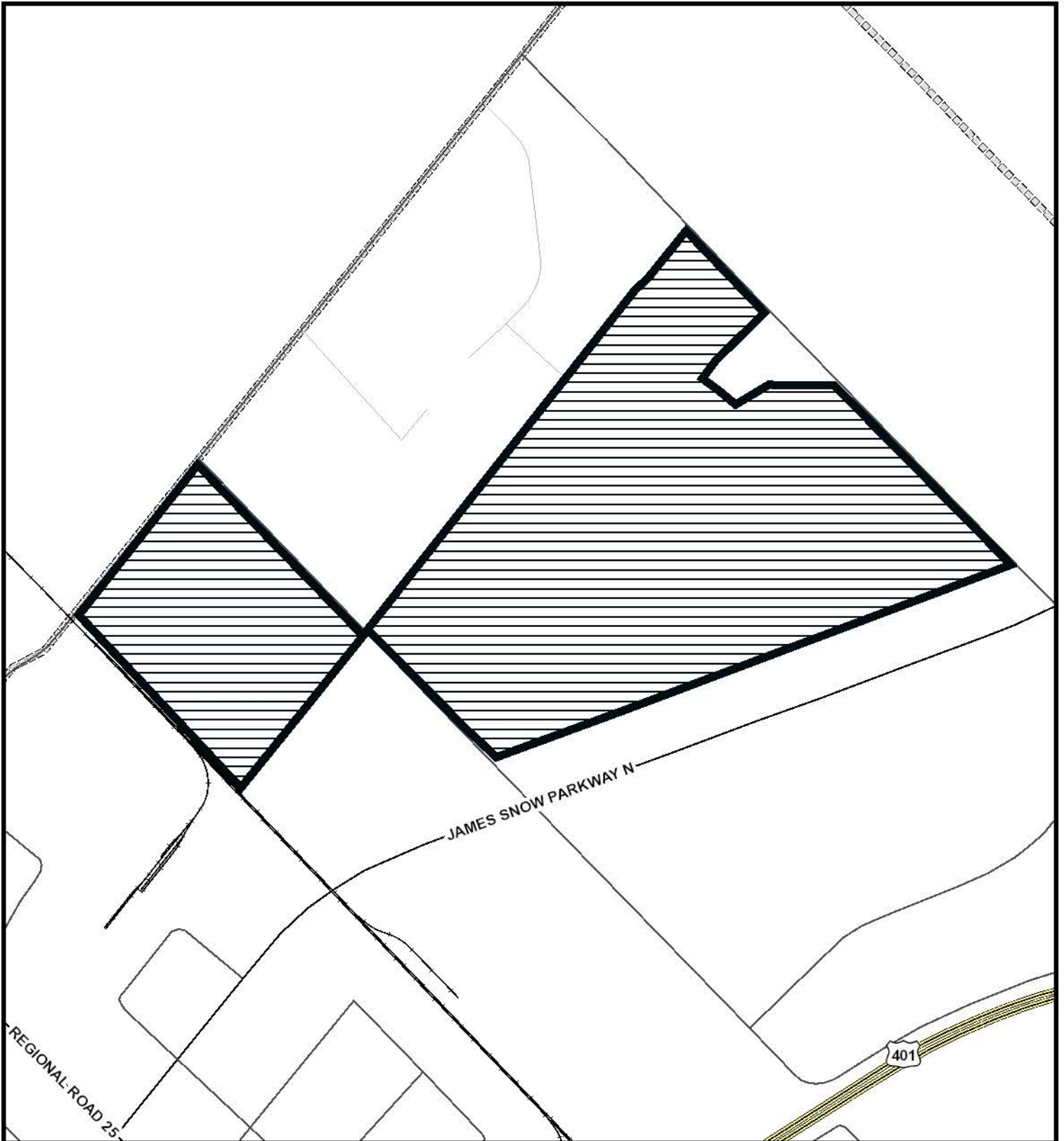
Figure 1 - Location Map
Figure 2 - Concept Plan
Figure 3 - Draft Plan of Subdivision - East Lands
Figure 4 - Draft Plan of Subdivision - West Lands
Appendix 1 - Draft Official Plan Amendment and By-law
Appendix 2 - Draft Zoning By-law (Rural By-law) - East Lands
Appendix 3 - Draft Zoning By-law (Urban By-law) - East Lands
Appendix 4 - Draft Zoning By-law - West Lands

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

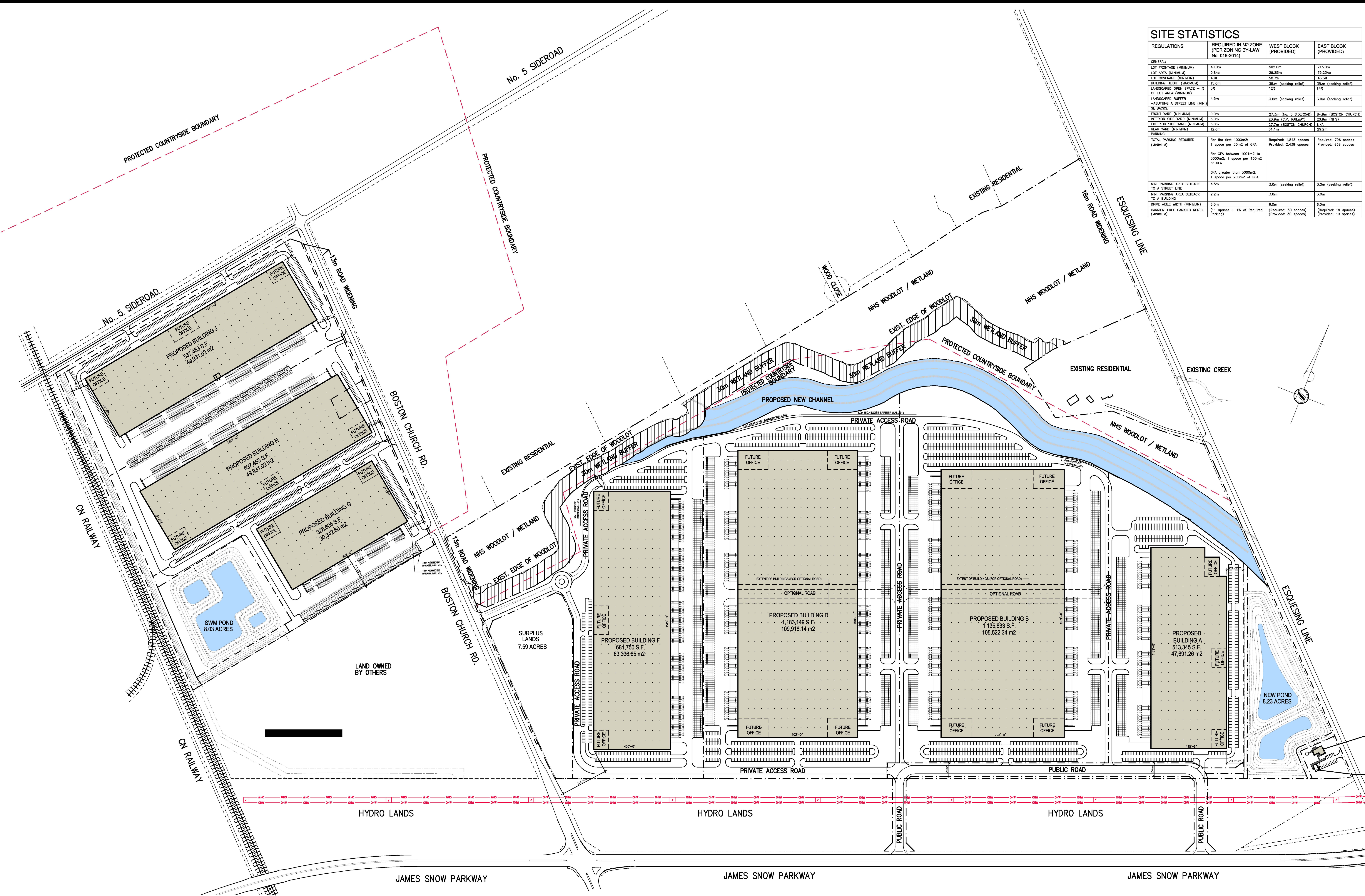


Council Meeting Date: March 25, 2024	Scale: 1:19,000	File: 24T-21007/M & 24T-21008/M	Development Services
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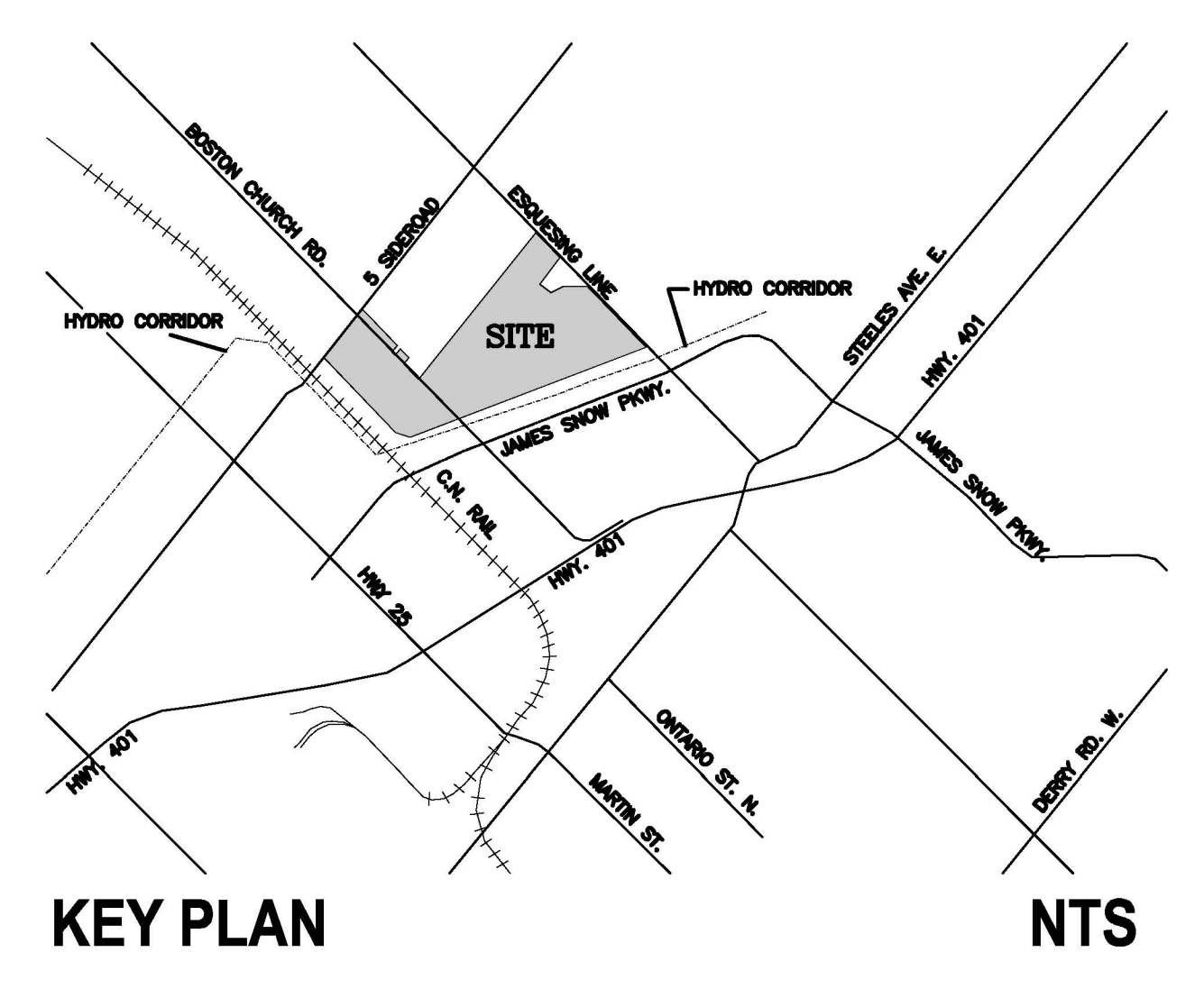
 Subject Property
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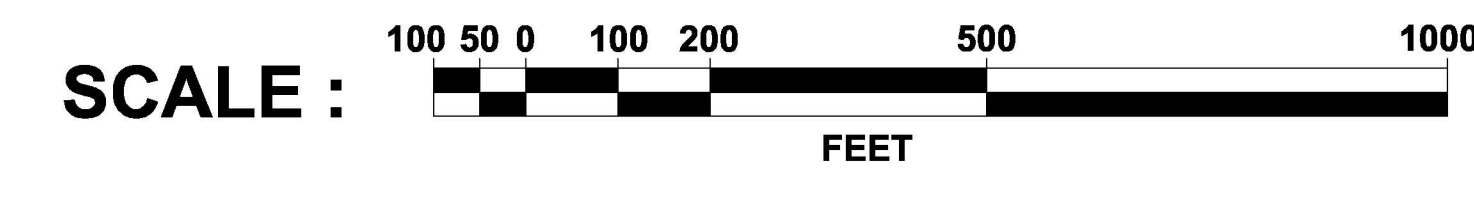
SITE STATISTICS

REGULATIONS	REQUIRED IN M2 ZONE (PER ZONING BY-LAW No. 016-2014)	WEST BLOCK (PROVIDED)	EAST BLOCK (PROVIDED)
GENERAL:			
LOT FRONTAGE (MINIMUM)	40.0m	502.0m	215.0m
LOT AREA (MINIMUM)	0.8ha	29.25ha	73.23ha
LOT COVERAGE (MINIMUM)	40%	50.7%	49.5%
BUILDING HEIGHT (MAXIMUM)	15.0m	30m (seeking relief)	30m (seeking relief)
LANDSCAPED OPEN SPACE - % OF LOT AREA (MINIMUM)	5%	12%	14%
LANDSCAPED BUFFER - ADJACENT TO STREET LINE (MIN. SETBACKS):			
FRONT YARD (MINIMUM)	9.0m	27.3m (No. 5 SIDEROAD)	84.8m (BOSTON CHURCH RD)
REAR YARD (MINIMUM)	3.0m	28.8m (C.P. BUILDING)	20.0m (NHS)
EXTERIOR SIDE YARD (MINIMUM)	3.0m	27.7m (BOSTON CHURCH)	N/A
REAR YARD (MINIMUM)	12.0m	81.1m	29.2m
PARKING:			
TOTAL PARKING REQUIRED (MINIMUM)	For the first 1000m ² : 1 space per 50m ² of GFA For GFA between 1001m ² to 5000m ² : 1 space per 100m ² of GFA GFA greater than 5000m ² : 1 space per 200m ² of GFA	Required: 1,843 spaces Provided: 2,439 spaces	Required: 798 spaces Provided: 868 spaces
MIN. PARKING AREA SETBACK TO A STREET LINE	4.5m	3.0m (seeking relief)	3.0m (seeking relief)
MIN. PARKING AREA SETBACK TO A BUILDING	2.2m	3.0m	3.0m
DRIVE AISLE WIDTH (MINIMUM)	6.0m	6.0m	6.0m
BARRIER-FREE PARKING REQ'D. (MINIMUM)	(1) spaces = 1% of Required Parking	(Required: 30 spaces) (Provided: 30 spaces)	(Required: 19 spaces) (Provided: 19 spaces)



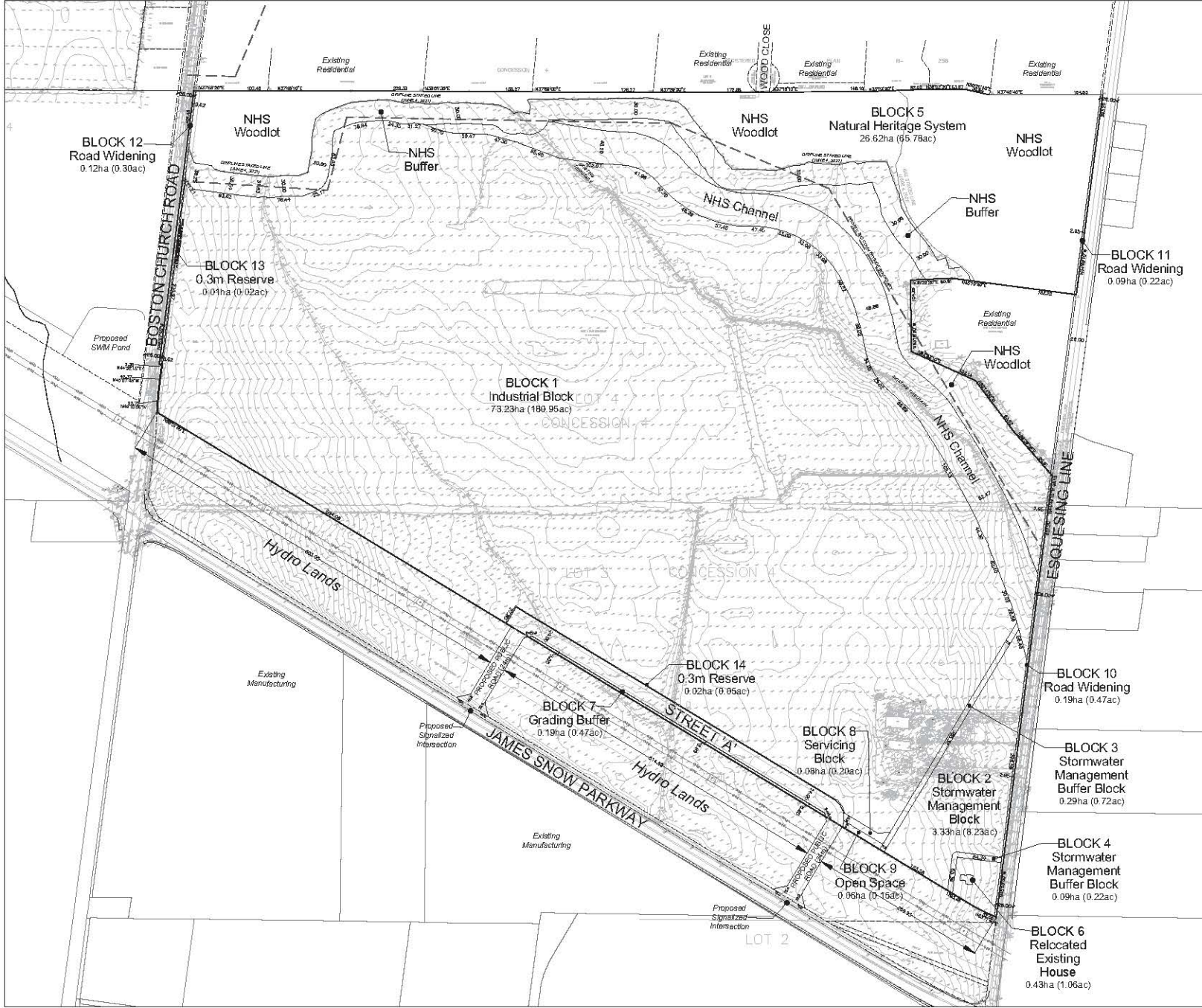
SITE STATISTICS

WEST BLOCK (WEST OF BOSTON CHURCH RD.)		EAST BLOCK (EAST OF BOSTON CHURCH RD.)	
LAND TO BE DEVELOPED	63.52 ACRES	LAND TO BE DEVELOPED (A,B,D,F)	173.36 ACRES
CHANNEL (NORTH-SOUTH)	2.27 ACRES	SURPLUS LANDS	7.59 ACRES
BLOCK 3 ROW (BOSTON CHURCH)	0.42 ACRES	NATURAL HERITAGE SYSTEM	65.78 ACRES
BLOCK 4 ROW (No. 5 SIDEROAD)	0.96 ACRES	HERITAGE BLOCK	1.06 ACRES
BLOCK 5 (0.3m RESERVE (No. 5 SIDEROAD))	0.02 ACRES	SWM POND	8.23 ACRES
BLOCK 6 (0.3m RESERVE (BOSTON CHURCH))	0.05 ACRES	PUBLIC ROAD (STREET A)	3.39 ACRES
SWM POND	8.03 ACRES	SWM BUFFER BLOCK (BLOCK 3)	0.72 ACRES
CHANNEL (EAST-WEST)	0.73 ACRES	SWM BUFFER BLOCK (BLOCK 4)	0.22 ACRES
TOTAL LAND	76.00 ACRES	GRADING BUFFER (BLOCK 7)	0.47 ACRES
		SERVICING BLOCK 8	0.20 ACRES
		OPEN SPACE (BLOCK 9)	0.15 ACRES
		ESQUESING LINE RW (BLOCK 10)	0.47 ACRES
		ESQUESING LINE RW (BLOCK 11)	0.22 ACRES
		BOSTON CHURCH RW (BLOCK 12)	0.30 ACRES
		B.C. (0.3m) RESERVE (BLOCK 13)	0.02 ACRES
		STREET A (0.3m) RESV. (BLOCK 14)	0.05 ACRES
		TOTAL LAND	262.23 ACRES
		BUILDING A	
		SITE AREA	16.40 ACRES
		BUILDING AREA	326,605 S.F.
		CAR PARKING	211
		SHIPPING DOORS	40
		DRIVE-IN DOORS	60
		TRAILER PARKING	66
		BUILDING 'B'	
		SITE AREA	23.23 ACRES
		BUILDING AREA	537,453 S.F.
		CAR PARKING	290
		SHIPPING DOORS	77
		DRIVE-IN DOORS	2
		TRAILER PARKING	45
		BUILDING 'C'	
		SITE AREA	23.89 ACRES
		BUILDING AREA	537,453 S.F.
		CAR PARKING	367
		SHIPPING DOORS	75
		DRIVE-IN DOORS	2
		TRAILER PARKING	45
		BUILDING 'D'	
		SITE AREA	23.89 ACRES
		BUILDING AREA	537,453 S.F.
		CAR PARKING	367
		SHIPPING DOORS	75
		DRIVE-IN DOORS	2
		TRAILER PARKING	45
		BUILDING 'E'	
		SITE AREA	34.72 ACRES
		BUILDING AREA	681,750 S.F.
		CAR PARKING	472
		SHIPPING DOORS	90
		DRIVE-IN DOORS	2
		TRAILER PARKING	115
		TOTAL BUILDING AREA (WEST BLOCK):	1,401,511 S.F.
		TOTAL BUILDING AREA (EAST BLOCK):	3,514,077 S.F.
		TOTAL BUILDING AREA	4,915,588 S.F.



PARK PLAN DEC. 14, 2023

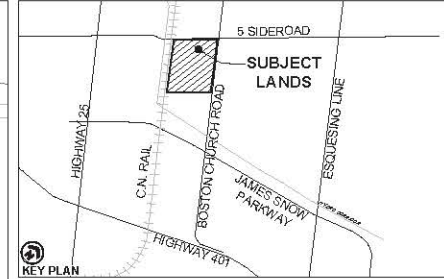
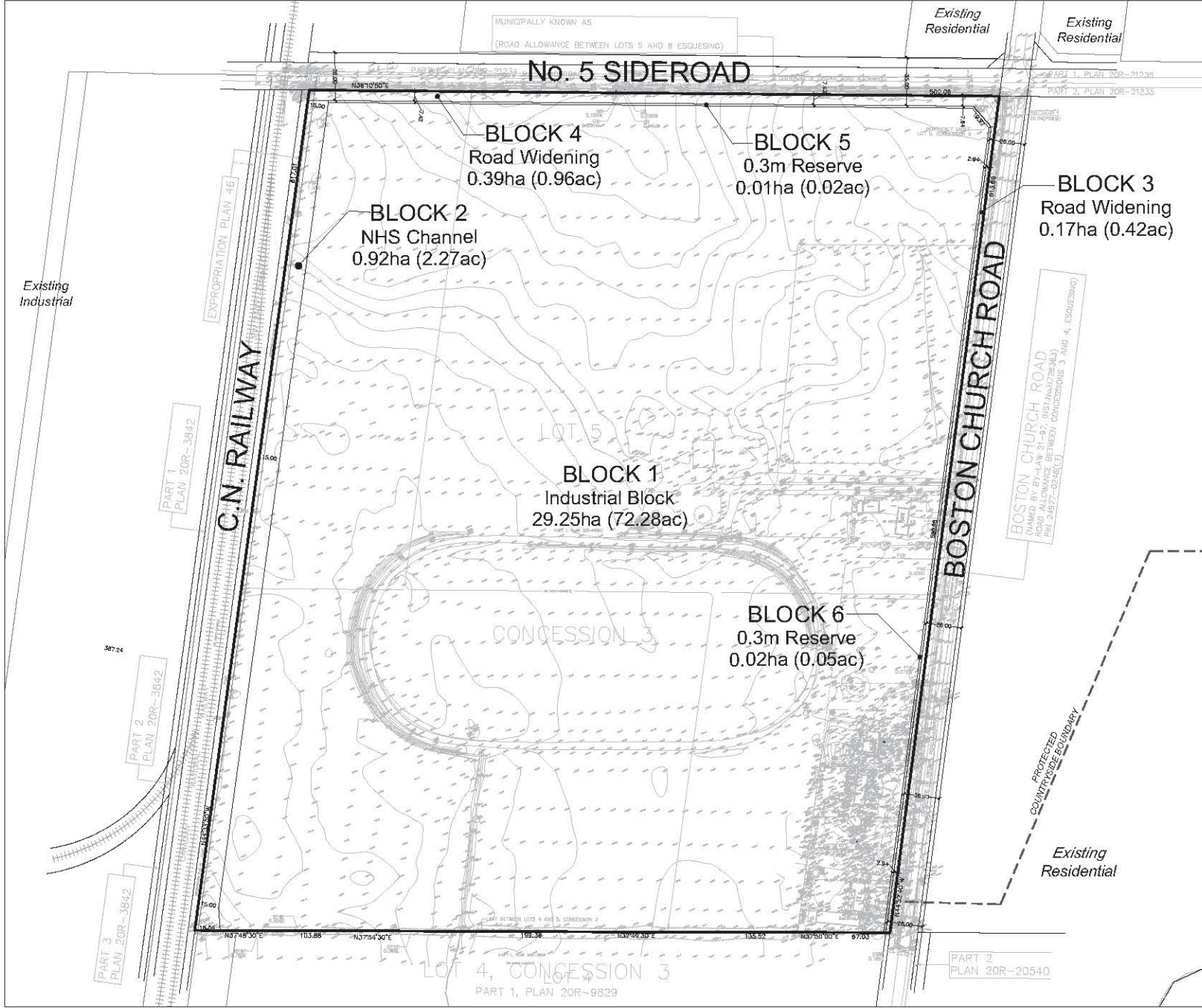




DRAFT PLAN OF SUBDIVISION
ORLANDO CORPORATION
 File # 24T-21007/M
 PART OF LOT 3 AND 4, CONCESSION 4,
 TOWNSHIP OF ESQUESING
 REGIONAL MUNICIPALITY OF HALTON

OWNERS CERTIFICATE
 I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.
 SIGNED: *[Signature]* DATE: DECEMBER 7, 2023
 BLAIR WOLK, PRESIDENT
 ORLANDO CORPORATION

SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.
 SIGNED: *[Signature]* DATE: OCTOBER 1, 2023
 ALISTER SANKEY, O.L.S., D.L.P.
 David B. Searles Surveying Ltd.
REGISTERED PROFESSIONAL SURVEYOR, 2010, 2015, 2020, 2025, 2030, 2035, 2040, 2045, 2050, 2055, 2060, 2065, 2070, 2075, 2080, 2085, 2090, 2095, 2100, 2105, 2110, 2115, 2120, 2125, 2130, 2135, 2140, 2145, 2150, 2155, 2160, 2165, 2170, 2175, 2180, 2185, 2190, 2195, 2200, 2205, 2210, 2215, 2220, 2225, 2230, 2235, 2240, 2245, 2250, 2255, 2260, 2265, 2270, 2275, 2280, 2285, 2290, 2295, 2300, 2305, 2310, 2315, 2320, 2325, 2330, 2335, 2340, 2345, 2350, 2355, 2360, 2365, 2370, 2375, 2380, 2385, 2390, 2395, 2400, 2405, 2410, 2415, 2420, 2425, 2430, 2435, 2440, 2445, 2450, 2455, 2460, 2465, 2470, 2475, 2480, 2485, 2490, 2495, 2500, 2505, 2510, 2515, 2520, 2525, 2530, 2535, 2540, 2545, 2550, 2555, 2560, 2565, 2570, 2575, 2580, 2585, 2590, 2595, 2600, 2605, 2610, 2615, 2620, 2625, 2630, 2635, 2640, 2645, 2650, 2655, 2660, 2665, 2670, 2675, 2680, 2685, 2690, 2695, 2700, 2705, 2710, 2715, 2720, 2725, 2730, 2735, 2740, 2745, 2750, 2755, 2760, 2765, 2770, 2775, 2780, 2785, 2790, 2795, 2800, 2805, 2810, 2815, 2820, 2825, 2830, 2835, 2840, 2845, 2850, 2855, 2860, 2865, 2870, 2875, 2880, 2885, 2890, 2895, 2900, 2905, 2910, 2915, 2920, 2925, 2930, 2935, 2940, 2945, 2950, 2955, 2960, 2965, 2970, 2975, 2980, 2985, 2990, 2995, 3000, 3005, 3010, 3015, 3020, 3025, 3030, 3035, 3040, 3045, 3050, 3055, 3060, 3065, 3070, 3075, 3080, 3085, 3090, 3095, 3100, 3105, 3110, 3115, 3120, 3125, 3130, 3135, 3140, 3145, 3150, 3155, 3160, 3165, 3170, 3175, 3180, 3185, 3190, 3195, 3200, 3205, 3210, 3215, 3220, 3225, 3230, 3235, 3240, 3245, 3250, 3255, 3260, 3265, 3270, 3275, 3280, 3285, 3290, 3295, 3300, 3305, 3310, 3315, 3320, 3325, 3330, 3335, 3340, 3345, 3350, 3355, 3360, 3365, 3370, 3375, 3380, 3385, 3390, 3395, 3400, 3405, 3410, 3415, 3420, 3425, 3430, 3435, 3440, 3445, 3450, 3455, 3460, 3465, 3470, 3475, 3480, 3485, 3490, 3495, 3500, 3505, 3510, 3515, 3520, 3525, 3530, 3535, 3540, 3545, 3550, 3555, 3560, 3565, 3570, 3575, 3580, 3585, 3590, 3595, 3600, 3605, 3610, 3615, 3620, 3625, 3630, 3635, 3640, 3645, 3650, 3655, 3660, 3665, 3670, 3675, 3680, 3685, 3690, 3695, 3700, 3705, 3710, 3715, 3720, 3725, 3730, 3735, 3740, 3745, 3750, 3755, 3760, 3765, 3770, 3775, 3780, 3785, 3790, 3795, 3800, 3805, 3810, 3815, 3820, 3825, 3830, 3835, 3840, 3845, 3850, 3855, 3860, 3865, 3870, 3875, 3880, 3885, 3890, 3895, 3900, 3905, 3910, 3915, 3920, 3925, 3930, 3935, 3940, 3945, 3950, 3955, 3960, 3965, 3970, 3975, 3980, 3985, 3990, 3995, 4000, 4005, 4010, 4015, 4020, 4025, 4030, 4035, 4040, 4045, 4050, 4055, 4060, 4065, 4070, 4075, 4080, 4085, 4090, 4095, 4100, 4105, 4110, 4115, 4120, 4125, 4130, 4135, 4140, 4145, 4150, 4155, 4160, 4165, 4170, 4175, 4180, 4185, 4190, 4195, 4200, 4205, 4210, 4215, 4220, 4225, 4230, 4235, 4240, 4245, 4250, 4255, 4260, 4265, 4270, 4275, 4280, 4285, 4290, 4295, 4300, 4305, 4310, 4315, 4320, 4325, 4330, 4335, 4340, 4345, 4350, 4355, 4360, 4365, 4370, 4375, 4380, 4385, 4390, 4395, 4400, 4405, 4410, 4415, 4420, 4425, 4430, 4435, 4440, 4445, 4450, 4455, 4460, 4465, 4470, 4475, 4480, 4485, 4490, 4495, 4500, 4505, 4510, 4515, 4520, 4525, 4530, 4535, 4540, 4545, 4550, 4555, 4560, 4565, 4570, 4575, 4580, 4585, 4590, 4595, 4600, 4605, 4610, 4615, 4620, 4625, 4630, 4635, 4640, 4645, 4650, 4655, 4660, 4665, 4670, 4675, 4680, 4685, 4690, 4695, 4700, 4705, 4710, 4715, 4720, 4725, 4730, 4735, 4740, 4745, 4750, 4755, 4760, 4765, 4770, 4775, 4780, 4785, 4790, 4795, 4800, 4805, 4810, 4815, 4820, 4825, 4830, 4835, 4840, 4845, 4850, 4855, 4860, 4865, 4870, 4875, 4880, 4885, 4890, 4895, 4900, 4905, 4910, 4915, 4920, 4925, 4930, 4935, 4940, 4945, 4950, 4955, 4960, 4965, 4970, 4975, 4980, 4985, 4990, 4995, 5000, 5005, 5010, 5015, 5020, 5025, 5030, 5035, 5040, 5045, 5050, 5055, 5060, 5065, 5070, 5075, 5080, 5085, 5090, 5095, 5100, 5105, 5110, 5115, 5120, 5125, 5130, 5135, 5140, 5145, 5150, 5155, 5160, 5165, 5170, 5175, 5180, 5185, 5190, 5195, 5200, 5205, 5210, 5215, 5220, 5225, 5230, 5235, 5240, 5245, 5250, 5255, 5260, 5265, 5270, 5275, 5280, 5285, 5290, 5295, 5300, 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7795, 7800, 7805, 7810, 7815, 7820, 7825, 7830, 7835, 7840, 7845, 7850, 7855, 7860, 7865, 7870, 7875, 7880, 7885, 7890, 7895, 7900, 7905, 7910, 7915, 7920, 7925, 7930, 7935, 7940, 7945, 7950, 7955, 7960, 7965, 7970, 7975, 7980, 7985, 7990, 7995, 8000, 8005, 8010, 8015, 8020, 8025, 8030, 8035, 8040, 8045, 8050, 8055, 8060, 8065, 8070, 8075, 8080, 8085, 8090, 8095, 8100, 8105, 8110, 8115, 8120, 8125, 8130, 8135, 8140, 8145, 8150, 8155, 8160, 8165, 8170, 8175, 8180, 8185, 8190, 8195, 8200, 8205, 8210, 8215, 8220, 8225, 8230, 8235, 8240, 8245, 8250, 8255, 8260, 8265, 8270, 8275, 8280, 8285, 8290, 8295, 8300, 8305, 8310, 8315, 8320, 8325, 8330, 8335, 8340, 8345, 8350, 8355, 8360, 8365, 8370, 8375, 8380, 8385, 8390, 8395, 8400, 8405, 8410, 8415, 8420, 8425, 8430, 8435, 8440, 8445, 8450, 8455, 8460, 8465, 8470, 8475, 8480, 8485, 8490, 8495, 8500, 8505, 8510, 8515, 8520, 8525, 8530, 8535, 8540, 8545, 8550, 8555, 8560, 8565, 8570, 8575, 8580, 8585, 8590, 8595, 8600, 8605, 8610, 8615, 8620, 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10245, 10250, 10255, 10260, 10265, 10270, 10275, 10280, 10285, 10290, 10295, 10300, 10305, 10310, 10315, 10320, 10325, 10330, 10335, 10340, 10345, 10350, 10355, 10360, 10365, 10370, 10375, 10380, 10385, 10390, 10395, 10400, 10405, 10410, 10415, 10420, 10425, 10430, 10435, 10440, 10445, 10450, 10455, 10460, 10465, 10470, 10475, 10480, 10485, 10490, 10495, 10500, 10505, 10510, 10515, 10520, 10525, 10530, 10535, 10540, 10545, 10550, 10555, 10560, 10565, 10570, 10575, 10580, 10585, 10590, 10595, 10600, 10605, 10610, 10615, 10620, 10625, 10630, 10635, 10640, 10645, 10650, 10655, 10660, 10665, 10670, 10675, 10680, 10685, 10690, 10695, 10700, 10705, 10710, 10715, 10720, 10725, 10730, 10735, 10740, 10745, 10750, 10755, 10760, 10765, 10770, 10775, 10780, 10785, 10790, 10795, 10800, 10805, 10810, 10815, 10820, 10825, 10830, 10835, 10840, 10845, 10850, 10855, 10860, 10865, 10870, 10875, 10880, 10885, 10890, 10895, 10900, 10905, 10910, 10915, 10920, 10925, 10930, 10935, 10940, 10945, 10950, 10955, 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DRAFT PLAN OF SUBDIVISION
ORLANDO CORPORATION
File # 24T-21008/M

PART OF LOT 5, CONCESSION 3,
TOWNSHIP OF ESQUESING
REGIONAL MUNICIPALITY OF HALTON

OWNERS CERTIFICATE
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED: *[Signature]* DATE: DECEMBER 7, 2023
BLAIR WOLK, PRESIDENT
ORLANDO CORPORATION

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED: *[Signature]* DATE: OCTOBER 1, 2021
ALISTER SANKEY, O.L.S., Q.L.P.
David B. Searles Surveying Ltd.
2500 JAMES STREET
4250 SHEPPARD AVENUE E. SUITE 106 MISSISSAUGA, ONTARIO L4X 1Y5
TEL: 905-276-8888 FAX: 905-276-8815
E-MAIL: ds@dsurveying.com

ADDITIONAL INFORMATION
(UNDER SECTION 51(7) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G, & J ARE SHOWN ON THE DRAFT AND KEY PLANS.

H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
I) SANDY LOAM AND CLAY LOAM
K) SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

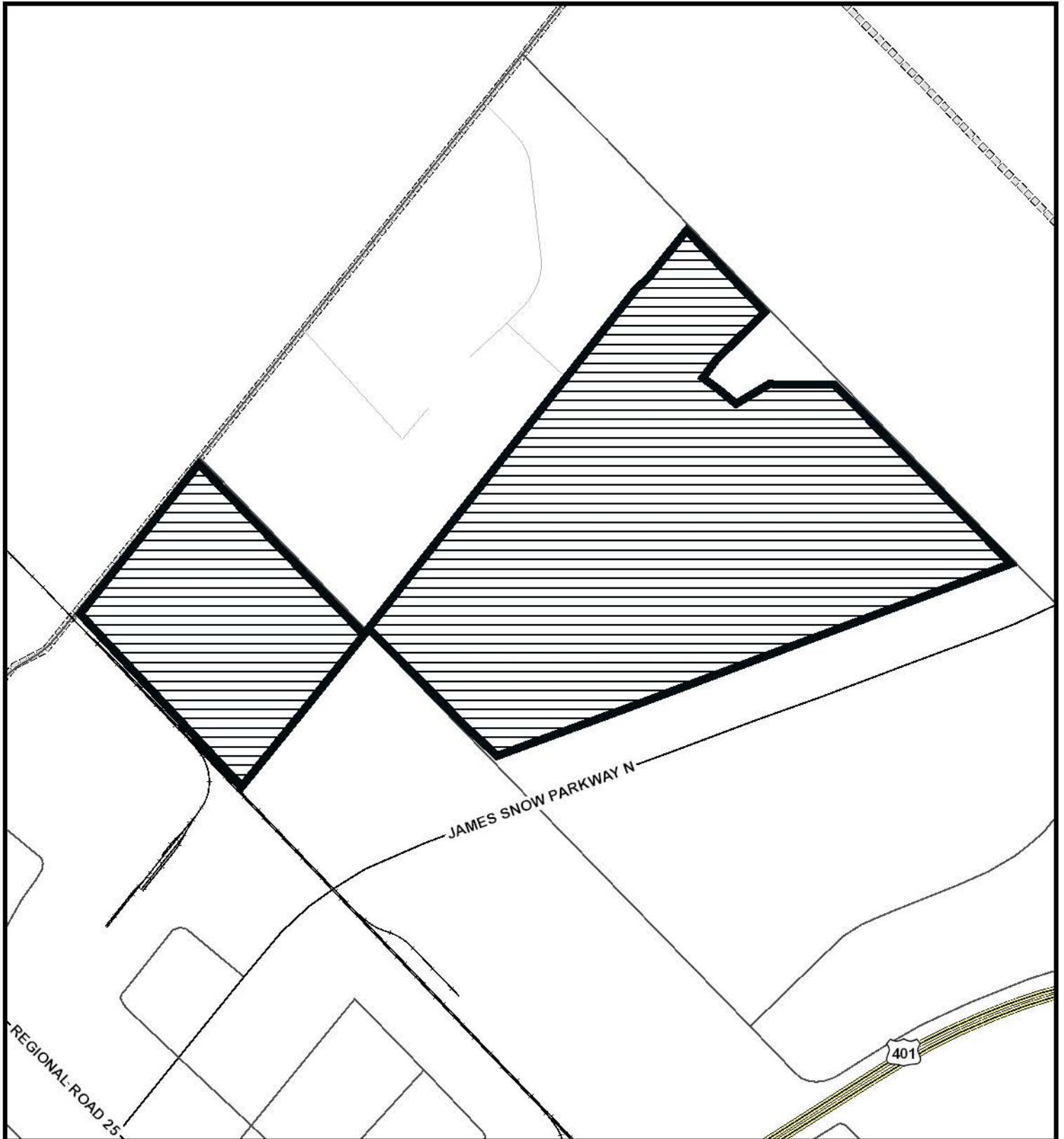
LAND USE	BLOCKS	AREA (ha)	AREA (ac)
Industrial Block	1	29.25	72.28
NHS Channel	2	0.92	2.27
Road Widening	3,4	0.56	1.38
0.3m Reserve	5,6	0.03	0.07
TOTAL	6	30.76	76.00

NOTES
-Base mapping obtained from DB Searles
-Existing Structures to be removed
-Daylight Triangle at No. 5 Sideroad & Boston Church Road: 15m x 15m

Figure 4 - Draft Plan of Subdivision - West Lands



FIGURE 1 LOCATION MAP



Council Meeting Date: March 25, 2024	Scale: 1:19,000	File: 24T-21007/M & 24T-21008/M	Development Services
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 Subject Property
 Page 227 of 512

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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 8350 ESQUESING LINE AND LEGALLY DESCRIBED AS PART OF LOTS 3 AND 4, CONCESSION 4, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) - FILE: LOPA-09/21

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. 79 to the Official Plan of the Town of Milton, to amend policies 4.11.3.42 (g) and (h) and Schedules 1, A, B, D, D1, D2, E, G, H, I, I1, K, L, M, N, O, O-1, P, C.2.A, C.2.B and Appendix C.6.C of the Town of Milton Official Plan to expand the Urban Area and Milton 401 Industrial/Business Park Secondary Plan area on the lands located at 8350 Esquesing Line, and legally described as Part of Lots 3 and 4, Concession 4, Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. 79 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON MARCH 25, 2024

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

AMENDMENT NUMBER 79

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

**PART 2 THE AMENDMENT, consisting of the following text constitutes
Amendment No. 79 to the Official Plan of the Town of Milton**

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 79
To the Official Plan of the Town of Milton
8350 Esquesing Line
Part Lots 3 and 4, Concession 4, Former Geographic Township of Esquesing
(Town File: LOPA-09/21)

PURPOSE OF THE AMENDMENT

The purpose of the amendment is to incorporate revisions to various sections and schedules of the Town of Milton Official Plan and the Milton 401 Industrial/Business Park Secondary Plan. The amendment includes expanding the boundary of the Urban Area and the Milton 401 Industrial/Business Park Secondary Plan area to include approximately 14.25 hectares (35.21 acres) of additional land. The amendment also includes changes to the existing Special Policy Area No. 42 including additional permitted uses in the Industrial Area and Business Commercial Area designations.

LOCATION OF THE AMENDMENT

The subject property is located at 8350 Esquesing Line and is legally described as Part of Lots 3 and 4, Concession 4, Former Township of Esquesing, Town of Milton. The subject property is 106.13 hectares (262.25 acres) bound by the Greenbelt Plan area to the north, Boston Church Road to the west, Esquesing Line to the east and the Hydro One corridor abutting James Snow Parkway to the south.

Approximately 74 hectares (182 acres) is currently within the Town's Urban Area and designated Industrial Area. This amendment proposes to expand the Urban Area boundary to include approximately 14.25 hectares (35.21 acres) of the subject property.

BASIS OF THE AMENDMENT

Halton Region Official Plan Amendment No. 38 (ROPA 38) established the Town of Milton Urban Area intended to accommodate population and employment growth for the planning period of 2021 to 2031. Through ROPA 38, approximately 74 hectares (182 acres) of the subject property was included in the Urban Area and designated Employment Area. On August 23, 2021, the Town of Milton approved Official Plan Amendment No. 67 (OPA 67) to implement ROPA 38 at the local level and include policies in the Town's Official Plan to guide future development in a comprehensive manner.

The current Urban Area limit falls short of including all lands that are within the Provincially Significant Employment Zone (PSEZ) as mapped by the Province and as a result excluded a portion of the subject property (northern sliver lands) that is proposed for future employment growth, consistent with the PSEZ area.

On June 15, 2022, Halton Region approved Regional Official Plan Amendment No. 52 (ROPA 52) which had the effect of bringing the northern sliver lands into the Urban Area in a manner that is consistent with the PSEZ area as well as Provincial and Regional growth plan objectives and policy directives.

The purpose of this amendment is to implement ROPA 52 to expand the Urban Area limit to include the northern sliver lands in order to facilitate the development of employment uses on the subject property. The northern sliver lands comprise an area of approximately 14.25 hectares (35.21 acres) of which approximately 6.26 ha (15.47 acres) of land is Urban Area and will be designated Industrial Area for employment uses while the balance of approximately 7.99 ha (19.74 acres) will be designated Natural Heritage System. The area within the Natural Heritage System includes a realigned watercourse, channel, woodlot and woodlot buffer. The portion of the northern sliver lands that will be designated Natural Heritage System will be protected and no development will be permitted in this area.

In addition to the above, the amendment expands the boundary of the Milton 401 Industrial/Business Park Secondary Plan area to include the northern sliver lands. The amendment also proposes to amend Special Policy Area No. 42, which includes the subject property, in the Town's Official Plan to include new permitted uses in the Industrial Area designation and Business Commercial Area designation on the subject property.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 79 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. 79, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Map Changes

- 1.1 Amending Schedule “1 - Town Structure Plan” is hereby amended by designating the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, from "Agricultural Area” and “Natural Heritage System” to "Urban Area”, “Employment Area” overlay and “Natural Heritage System”, as shown on Schedule ‘1’, attached hereto.
- 1.2 Schedule “A - Rural Land Use Plan” is hereby amended by re-designating the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, from "Agricultural Area” and “Natural Heritage System” to "Urban Area” and “Natural Heritage System”, as shown on Schedule ‘2’, attached hereto.
- 1.3 Schedule “B - Urban Area Land Use Plan” is hereby amended by expanding the “Urban Area” and the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified in red hatch on Diagram ‘1’ attached to and forming part of this amendment, and by designating these lands as “Industrial Area” and “Natural Heritage System”, as shown on Schedule ‘3’, attached hereto.
- 1.4 Schedule “D - Urban Area Planning Districts, Character Area and Community Improvement Area” is hereby amended by expanding the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified on Diagram ‘1’, attached to and forming part of this amendment, and designating these lands “Urban Area”, as shown on Schedule ‘4’, attached hereto.
- 1.5 Schedule “D1 - Urban and Rural Districts” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’ attached to and forming part of this amendment, as shown on Schedule ‘5’, attached hereto.
- 1.6 Schedule “D2 - Urban Districts and Neighbourhoods” is hereby amended by expanding the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘6’, attached hereto.

- 1.7 Schedule “E - Transportation Plan” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘7’, attached hereto.
- 1.8 Schedule “G - Known Landfill Sites” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘8’, attached hereto.
- 1.9 Schedule “H - Phasing of Urban Expansion” is hereby amended by expanding the “Non-Residential Phase 1” boundary and expanding the “Future Growth Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘9’, attached hereto.
- 1.10 Schedule “I - Rural Area Special Policy Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘10’, attached hereto.
- 1.11 Schedule “I1 - Urban Area Specific Policy Areas” is hereby amended by expanding the “Urban Area” and expanding the “Special Policy Area No. 42” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘11’, attached hereto.
- 1.12 Schedule “K - Strategic Growth Areas” is hereby amended by expanding the “Urban Area” and expanding the “SHP Urban Area Boundary” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘12’, attached hereto.
- 1.13 Schedule “L - Municipal Wellhead Protection Zones” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘13’, attached hereto.
- 1.14 Schedule “M - Key Features within the Greenbelt and Natural Heritage System” is hereby amended by adding to the “Natural Heritage System and Enhancement Area” and expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘14’, attached hereto.
- 1.15 Schedule “N - Future Strategic Employment Areas” is hereby amended by expanding the “Employment Area” boundary and expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘15’, attached hereto.

- 1.16 Schedule “O - Agricultural System and Settlement Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘16’, attached hereto.
 - 1.17 Schedule “O-1 - Provincial Agricultural Land Base Mapping Areas of Difference” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘17’, attached hereto.
 - 1.18 Schedule “P - Identified Mineral Resource Areas and Mineral Extraction Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘18’, attached hereto.
 - 1.19 Schedule “C.2.A - Milton 401 Industrial/Business Park Secondary Plan: Structure Plan” is hereby amended by adding to the “Natural Heritage System” and expanding the “Secondary Plan Boundary” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘19’, attached hereto.
 - 1.20 Schedule “C.2.B - Milton 401 Industrial/Business Park Secondary Plan: Land Use Plan” is hereby amended by expanding the “Industrial Area”, adding to the “Natural Heritage System” and expanding the “Secondary Plan” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘20’, attached hereto.
 - 1.21 Appendix “C.6.C - Subwatershed Areas 2 and 7” is hereby amended by expanding the “401 Industrial/Business Park” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘21’, attached hereto.
- 2.0 Text Change (Additions are shown in red underline and deletions are shown in ~~yellow strikethrough~~).

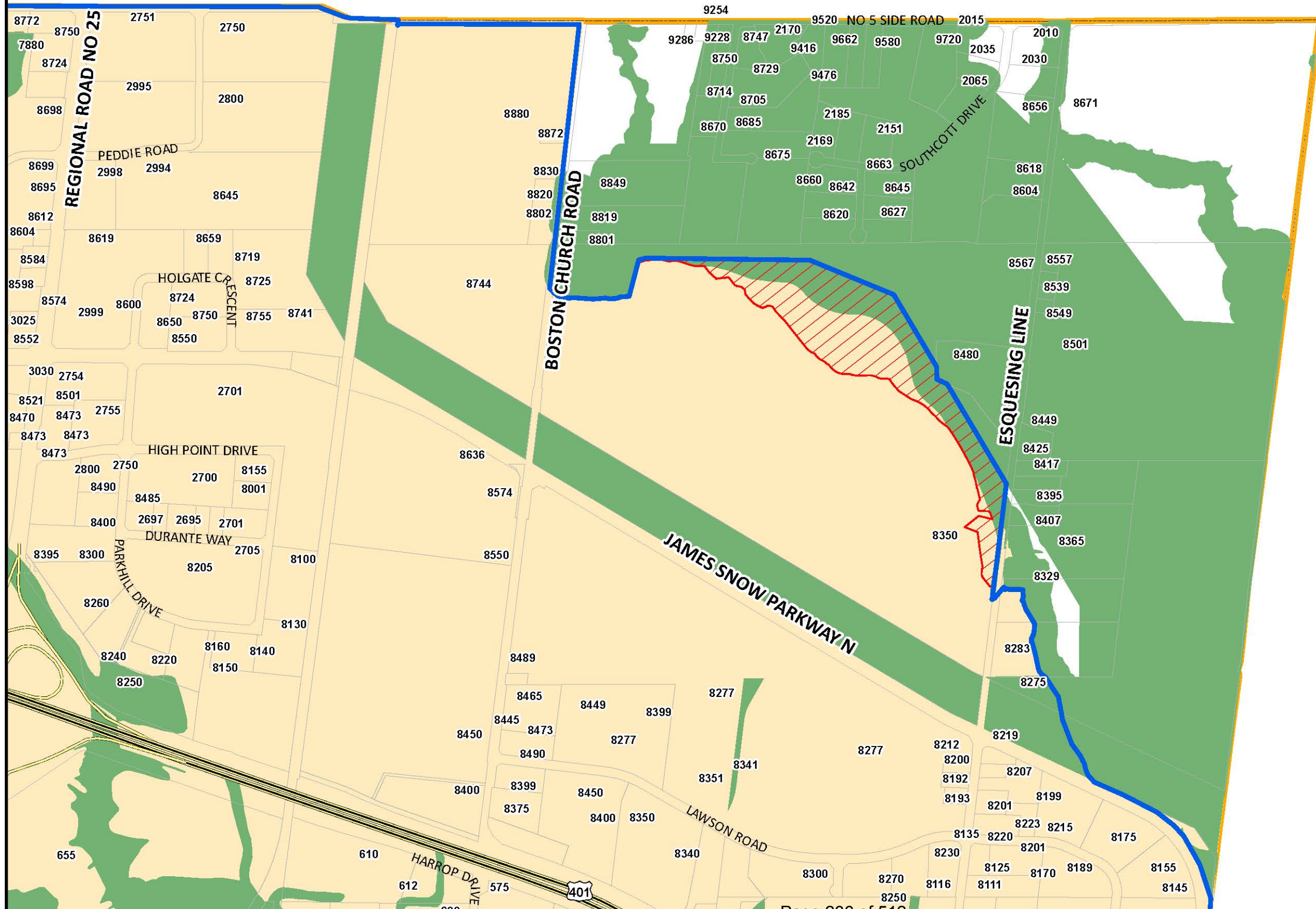
No.	Section No.	Modification
	<i>4.11</i>	<i>Specific Policy Areas</i>
1.	Special Policy Area 42 - Section 4.11.3.42 g)	Is modified to read as follows: “g) Subject to a Heritage Easement Agreement approved by the Town, the James Snow farmhouse at 8350 Esquesing Line may be relocated on the lands designated Business Commercial Area on the west side of Esquesing Line and north of the North Hydro Corridor.

No.	Section No.	Modification
	4.11	<i>Specific Policy Areas</i>
		Notwithstanding Section 3.7.6.2 of this Plan, the only permitted uses on these lands shall be business and professional offices, <u>a standalone restaurant</u> and service commercial uses.”
2	Special Policy Area 42 - Section 4.11.3.42 h)	New subsection as follows: <u>“h) In addition to the uses permitted in the Industrial Area designation, the lands identified as Special Policy Area No. 42 on Schedule I1 of this Plan, being 8350 Esquesing Line, Part of Lots 3 and 4, Concession 4, a Broadcasting/Communication Facility use shall also be permitted.”</u>

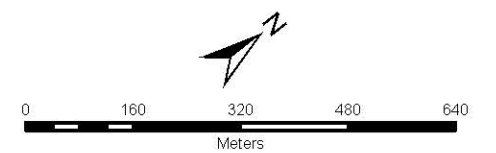
End of text

Halton Hills

DIAGRAM 1 OVERVIEW PLAN



-  Draft Amendment Area
-  401 Milton Industrial/Business Park Secondary Plan Area
-  Natural Heritage System
-  Urban Area
-  Municipal Boundary



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TOWN OF MILTON OFFICIAL PLAN

Schedule 1 TOWN STRUCTURE PLAN



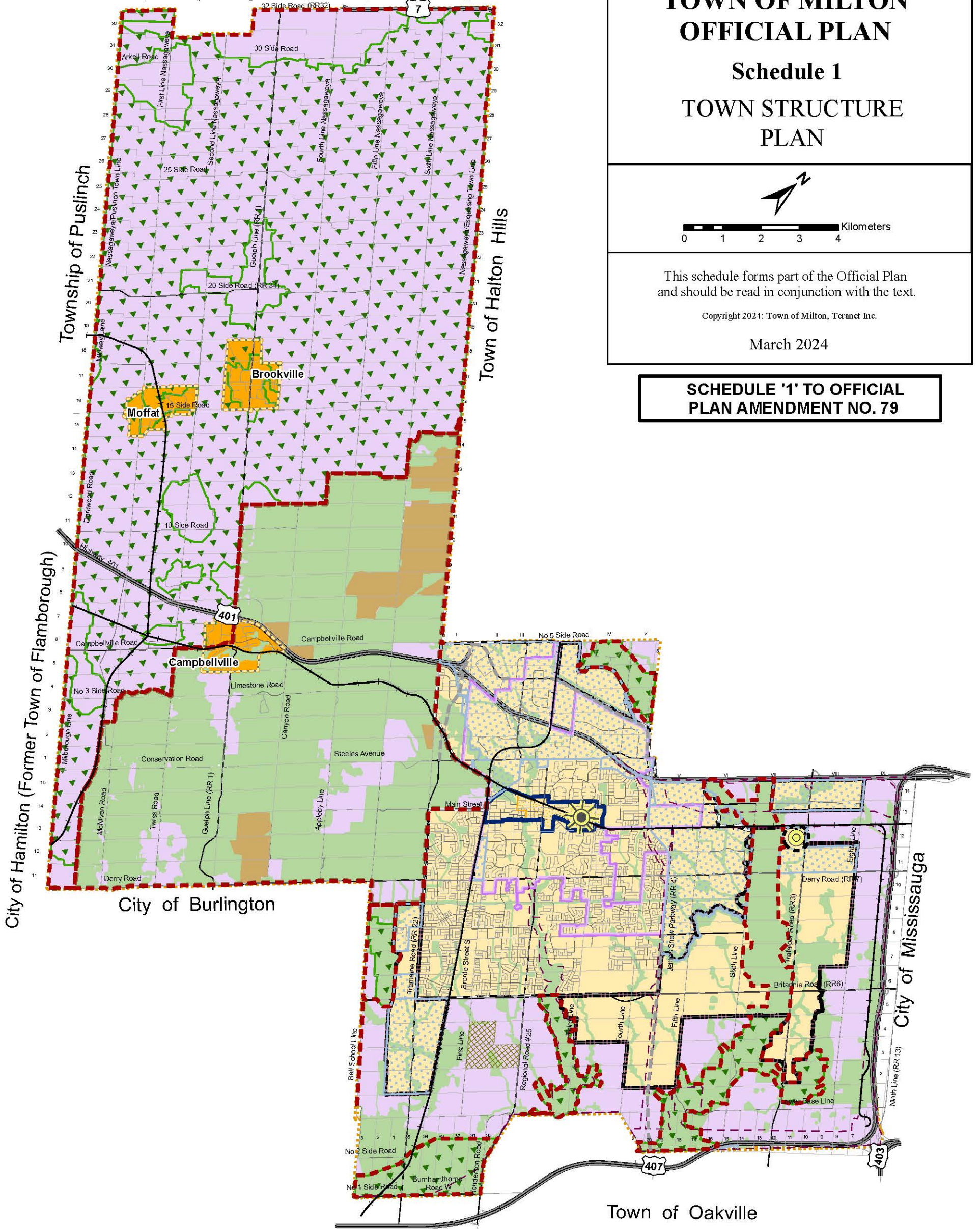
0 1 2 3 4 Kilometers

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SCHEDULE '1' TO OFFICIAL PLAN AMENDMENT NO. 79



- | | | |
|---------------------------|----------------------------------|---|
| Rail | HUSP Urban Area | Proposed Major Transit Station |
| Proposed Major Arterial | Agricultural Area | Mobility Hub |
| Highway | Mineral Resource Extraction Area | Greenbelt Natural Heritage System |
| Major Road | Natural Heritage System | Niagara Escarpment Plan Boundary |
| Lot and Concession Line | Urban Area | Parkway Belt West Plan Boundary |
| Urban Growth Centre | Hamlet | Greenbelt Plan Protected Countryside Boundary |
| Central Business District | Halton Waste Management Site | Municipal Boundary |
| SHP Urban Area Boundary | Employment Area | |
| Built Boundary | | |

**TOWN OF MILTON
OFFICIAL PLAN
Schedule A
RURAL LAND USE
PLAN**



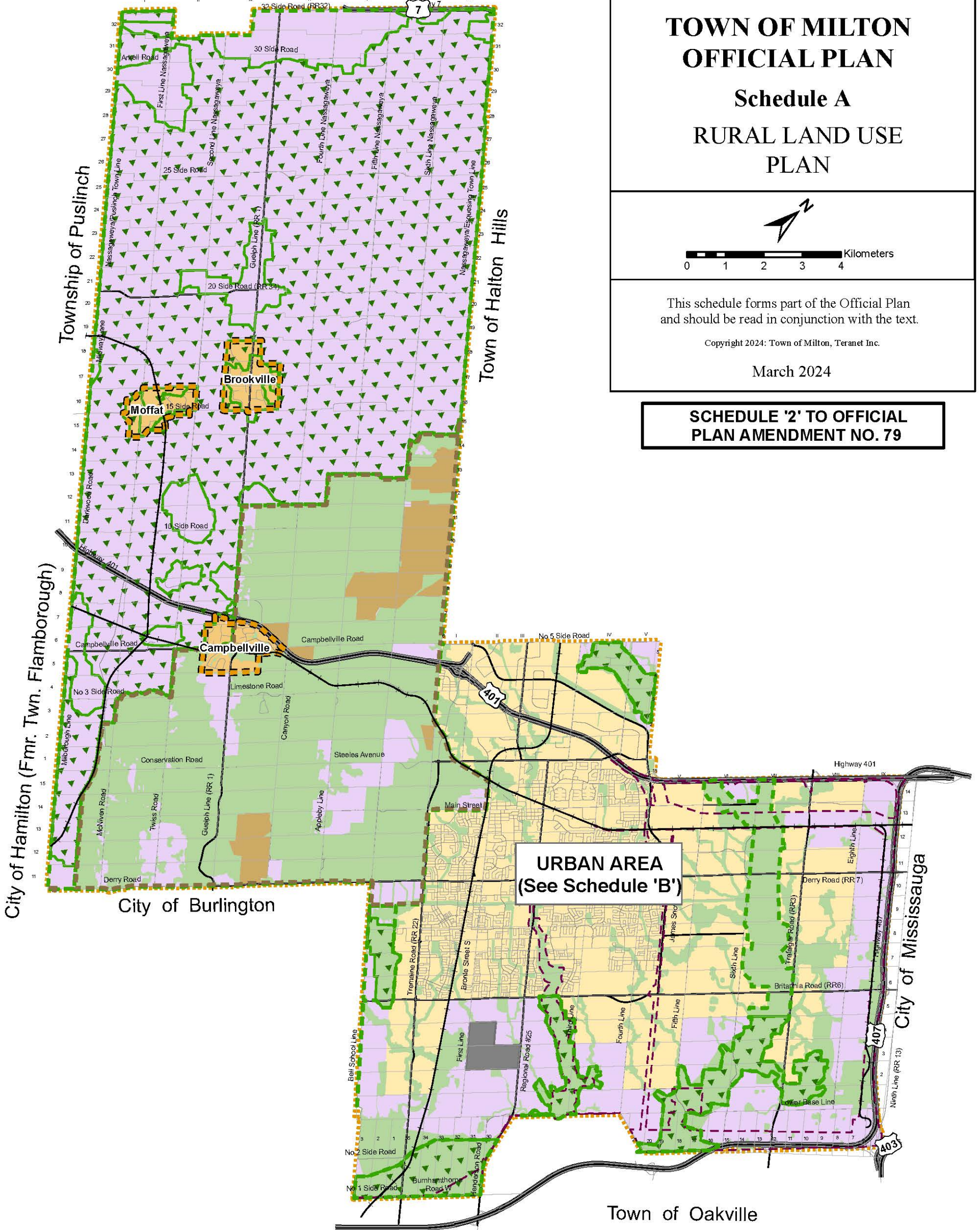
0 1 2 3 4 Kilometers

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**SCHEDULE '2' TO OFFICIAL
PLAN AMENDMENT NO. 79**

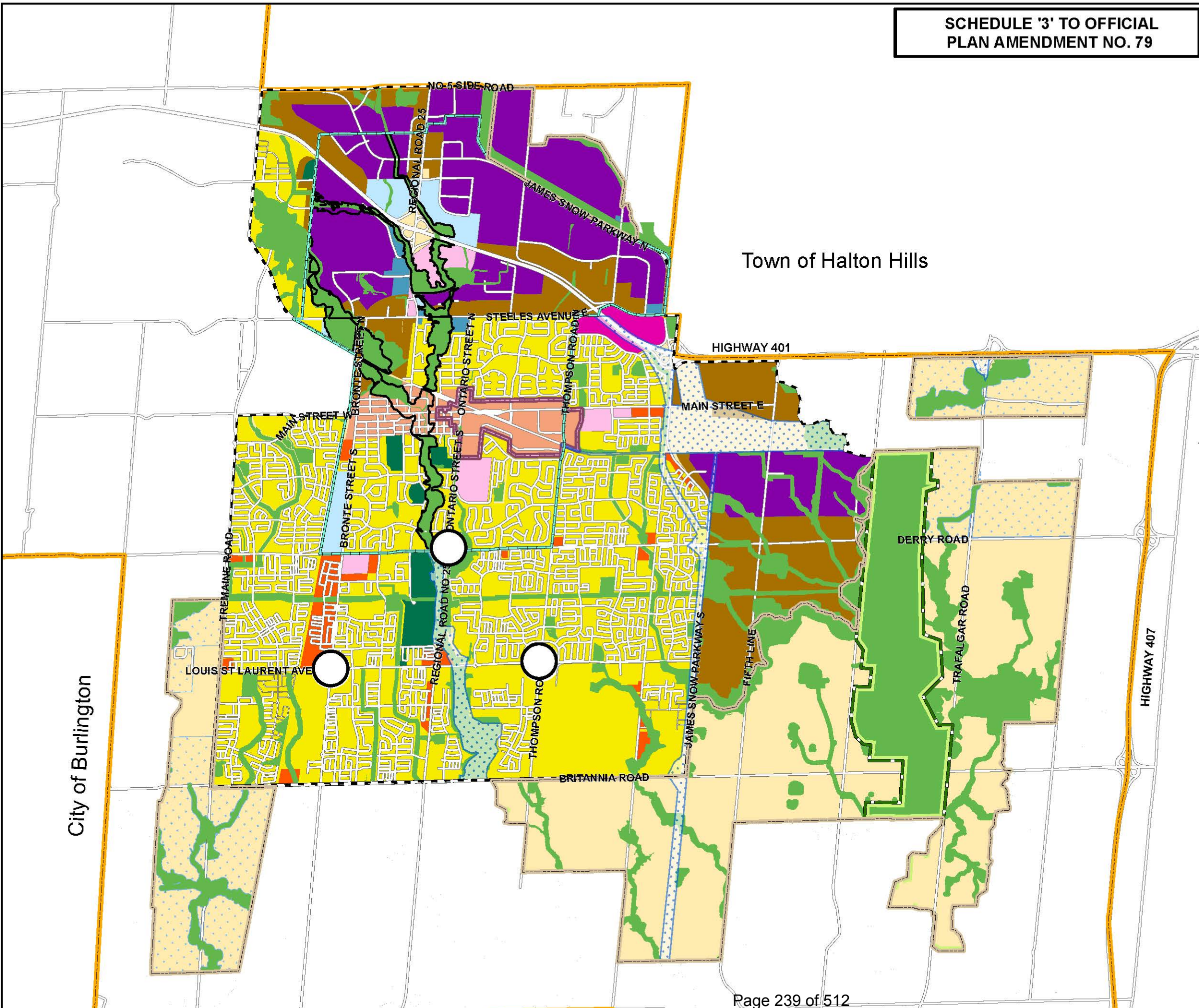


- Greenbelt Natural Heritage System
- Greenbelt Plan Protected Countryside Boundary
- Agricultural Area
- Urban Area
- Natural Heritage System
- Mineral Resource Extraction Area
- Niagara Escarpment Plan Boundary
- Parkway Belt West Plan Boundary
- Rail
- Proposed Major Arterial
- Highway
- Major Road
- Hamlet
- Municipal Boundary
- Lot and Concession Line
- Halton Waste Management Site

TOWN OF MILTON OFFICIAL PLAN

Schedule B

URBAN AREA LAND USE PLAN



- Industrial Area
- Business Park Area
- Business Commercial Area
- Office Employment Area
- Central Business District
- Major Commercial Centre
- Secondary Mixed Use Node
- Residential Office Area
- Residential Area
- Institutional Area
- Community Park
- Natural Heritage System
- SHP Growth Area
- SHP Growth Area- Employment
- Milton GO MTSA/Downtown Milton UGC
- Greenbelt Plan Protected Countryside
- Parkway Belt West Plan Area
- Regulatory Flood Plain (Within Established Urban Area)
- SHP Urban Area Boundary
- Established Urban Area Boundary
- HUSP Urban Area Boundary
- Municipal Boundary

City of Burlington

Town of Halton Hills



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TOWN OF MILTON OFFICIAL PLAN

Schedule D

URBAN AREA PLANNING DISTRICTS,
CHARACTER AREA AND COMMUNITY
IMPROVEMENT AREA

PLANNING DISTRICTS

-  Agerton
-  Boyne Survey
-  Bristol Survey
-  Britannia East / West
-  Derry Green Corporate Business Park
-  Milton Education Village
-  Sherwood Survey
-  Trafalgar
-  401 Industrial / Business Park
-  Urban Area
-  Major Gateways
-  HUSP Urban Area Boundary
-  Town of Milton Boundary
-  Character Area
-  Community Improvement Area

NOTE: The Planning District Boundaries are subject to change in accordance with the ultimate phasing scheme.



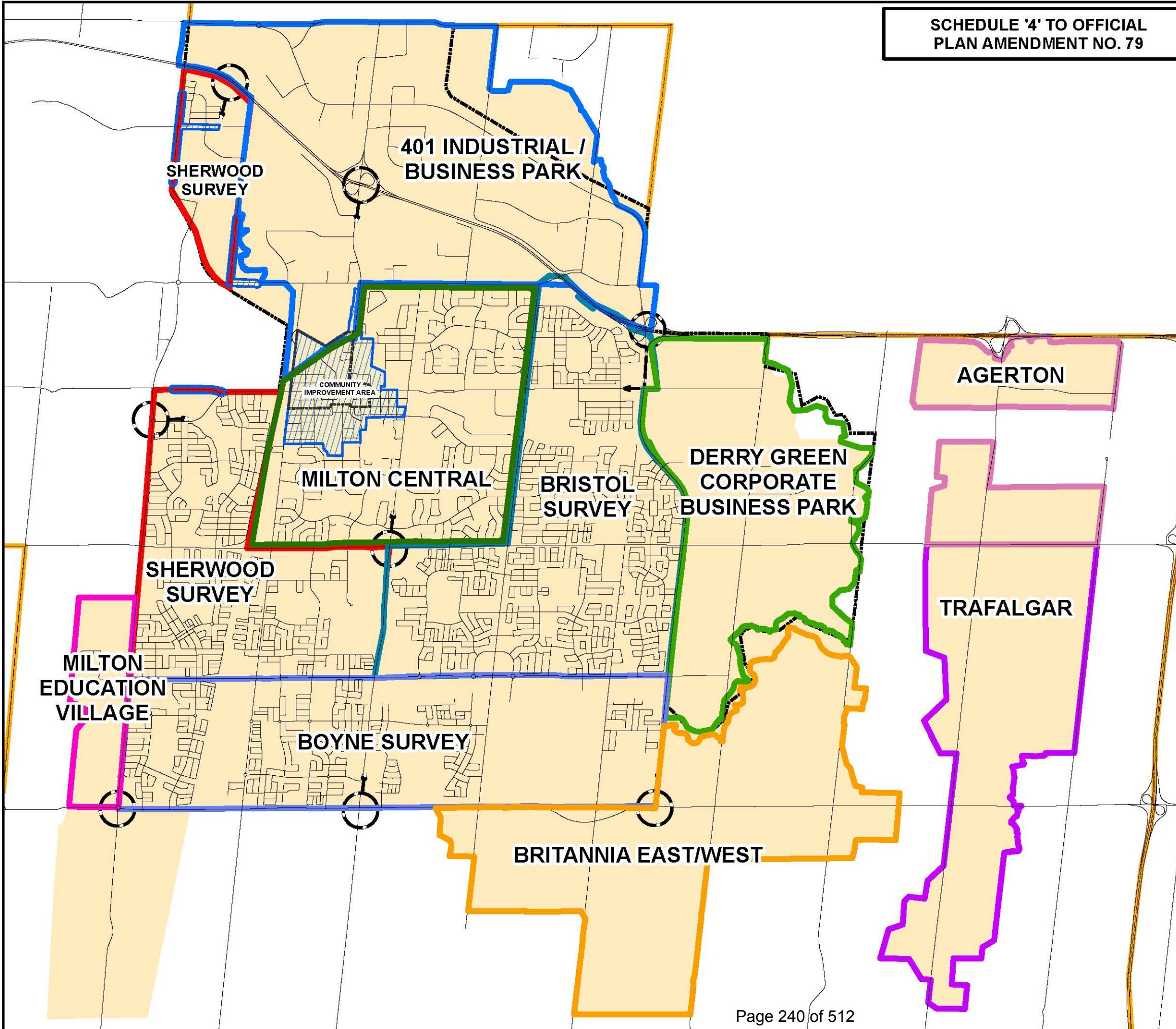
NAD 1983 - UTM Zone 17N



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TOWN OF MILTON OFFICIAL PLAN

Schedule D1 URBAN AND RURAL DISTRICTS

FORMER TOWNSHIPS

- Esquesing
- Nassagaweya
- Nelson
- Trafalgar

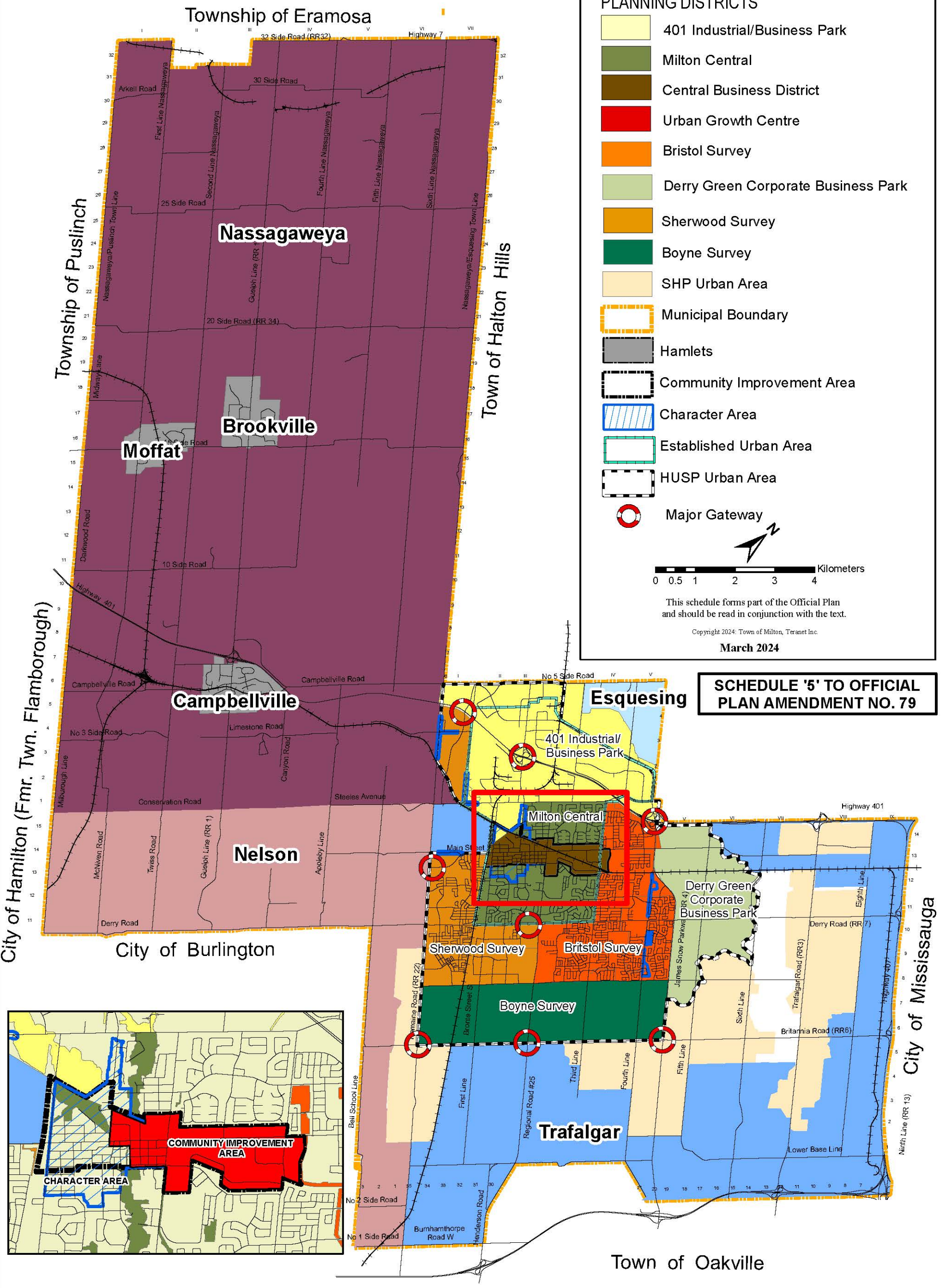
PLANNING DISTRICTS

- 401 Industrial/Business Park
- Milton Central
- Central Business District
- Urban Growth Centre
- Bristol Survey
- Derry Green Corporate Business Park
- Sherwood Survey
- Boyne Survey
- SHP Urban Area

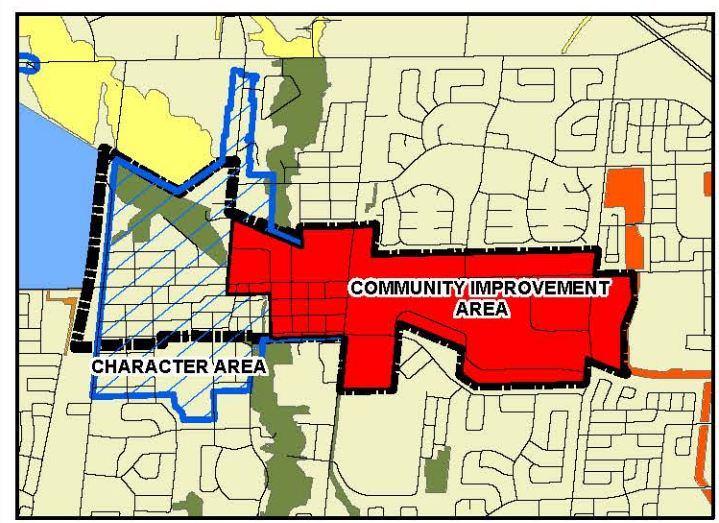
Other Symbols:

- Municipal Boundary
- Hamlets
- Community Improvement Area
- Character Area
- Established Urban Area
- HUSP Urban Area
- Major Gateway

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SCHEDULE '5' TO OFFICIAL PLAN AMENDMENT NO. 79





TOWN OF MILTON OFFICIAL PLAN

Schedule D2

URBAN DISTRICTS AND
NEIGHBOURHOODS

POLICY AREAS

-  Character Area
-  Central Business District

PLANNING DISTRICTS

-  Rail
-  Agerton
-  Boyne Survey
-  Bristol Survey
-  Britannia East/West
-  Derry Green Corporate Business Park
-  Milton Education Village
-  Sherwood Survey
-  Trafalgar Corridor
-  401 Industrial Business Park
-  Milton Central
-  Urban Area

NEIGHBOURHOODS

- 401 Industrial / Business Park
- Derry Green Corporate Business Park
- Beaty
- Bowes
- Bronte Meadows
- Clarke
- Coates
- Harrison
- Milton Heights
- Mountain View
- Old Milton
- Ford
- Scott
- Cobban
- Timberlea
- Dempsey
- Walker
- Dorset Park
- Willmott

NOTE: The Planning District Boundaries are subject to change in accordance with the ultimate phasing scheme.



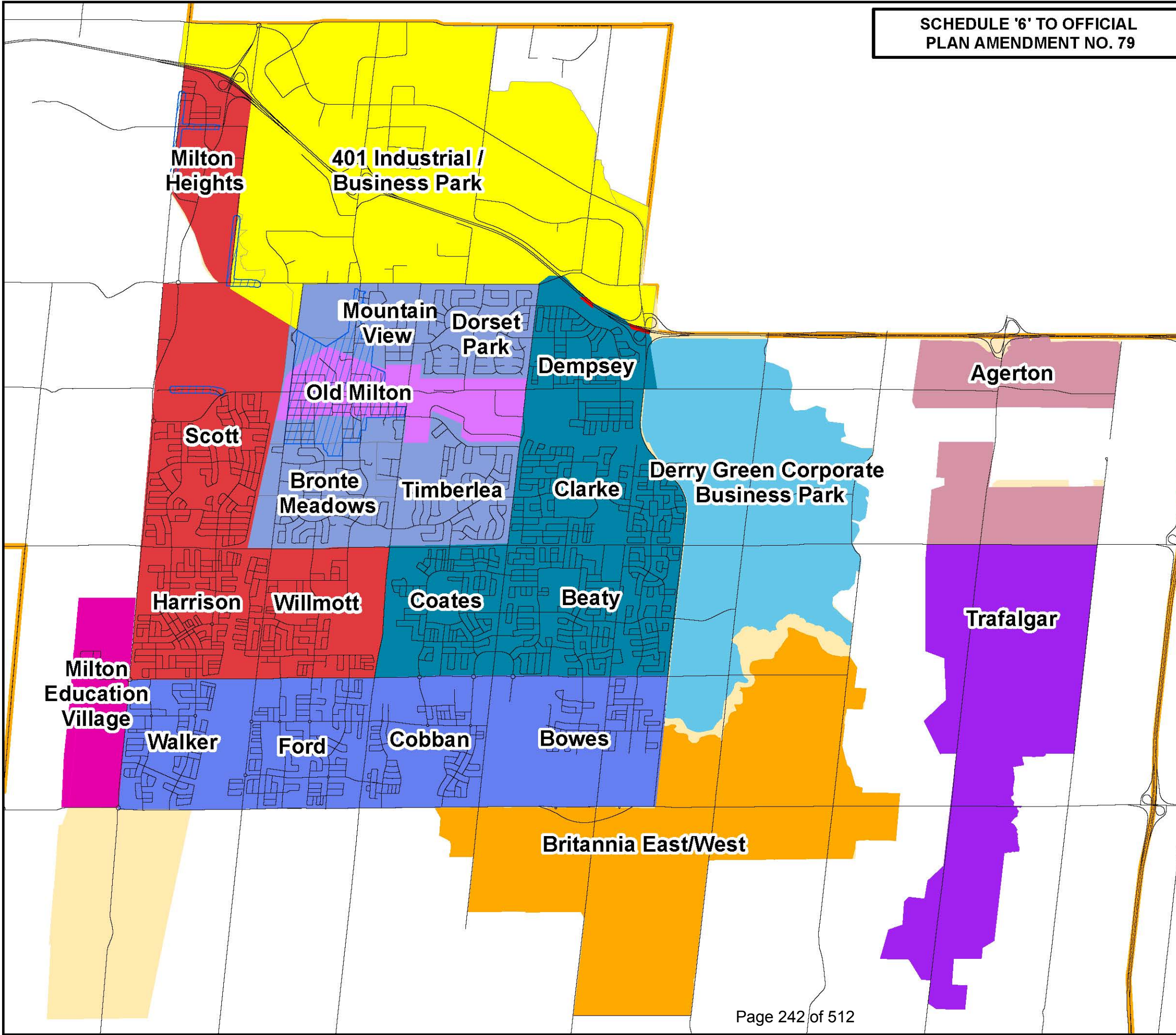
NAD 1983 - UTM Zone 17N



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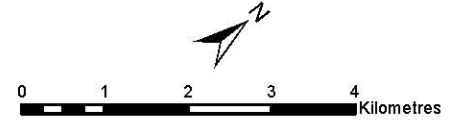
March 2024



TOWN OF MILTON OFFICIAL PLAN

Schedule E TRANSPORTATION PLAN

-  MAJOR TRANSIT STATION AREA
-  FUTURE POTENTIAL TRANSIT STATIONS
-  LOCAL ROAD
-  COLLECTOR
-  POTENTIAL FUTURE ALIGNMENTS
-  PROVINCIAL HIGHWAY
-  MAJOR ARTERIAL
-  MINOR ARTERIAL
-  MULTI-PURPOSE ARTERIAL
-  PROPOSED MAJOR ARTERIAL
-  PROVINCIAL FREEWAY
-  URBAN AREA
-  COMMUTER RAIL CORRIDOR
-  HIGH ORDER TRANSIT CORRIDOR
-  PLANNED 401 INTERCHANGE
-  TOWN OF MILTON BOUNDARY

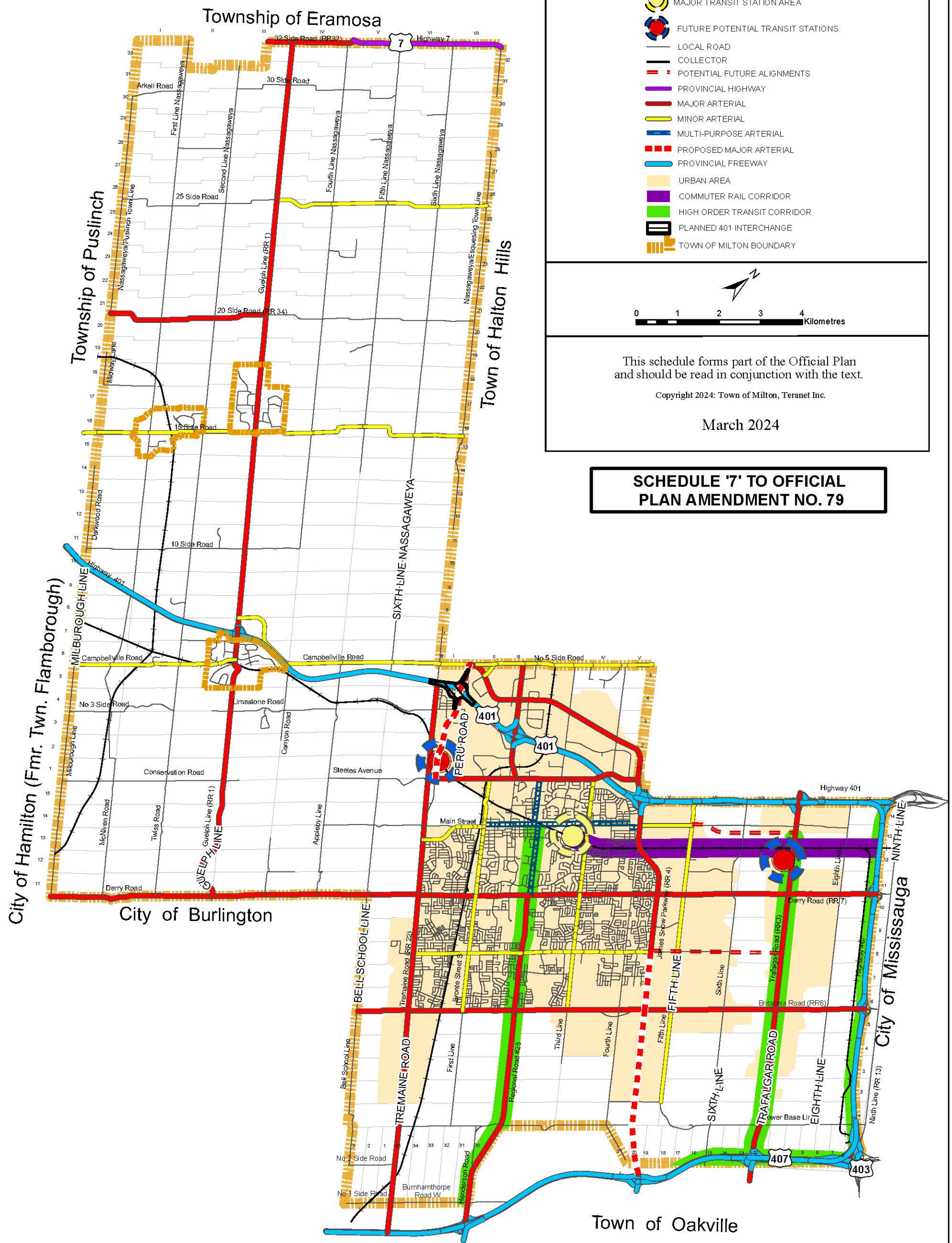


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SCHEDULE '7' TO OFFICIAL PLAN AMENDMENT NO. 79



TOWN OF MILTON OFFICIAL PLAN

Schedule G

KNOWN LANDFILL SITES

- ▲ LANDFILL SITE - CLOSED AND CERTIFIED
- HALTOW WASTE MANAGEMENT SITE
- LANDFILL SITE - CLOSED
- URBAN AREA
- TOWN OF MILTON BOUNDARY

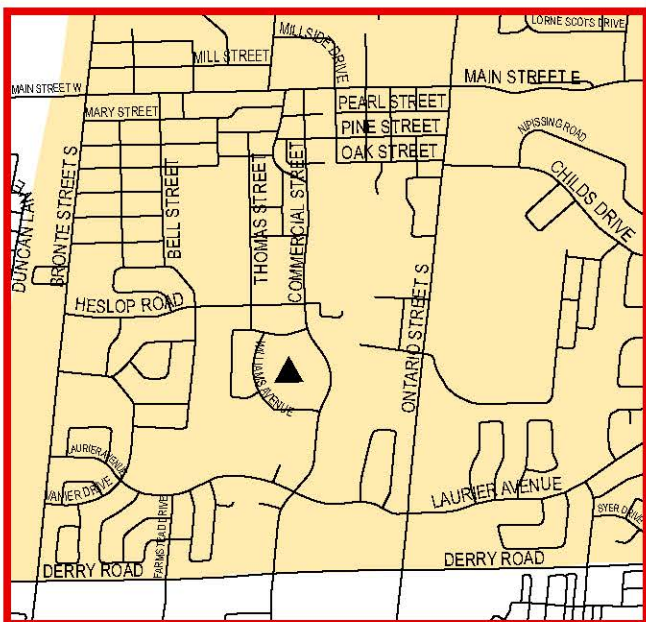
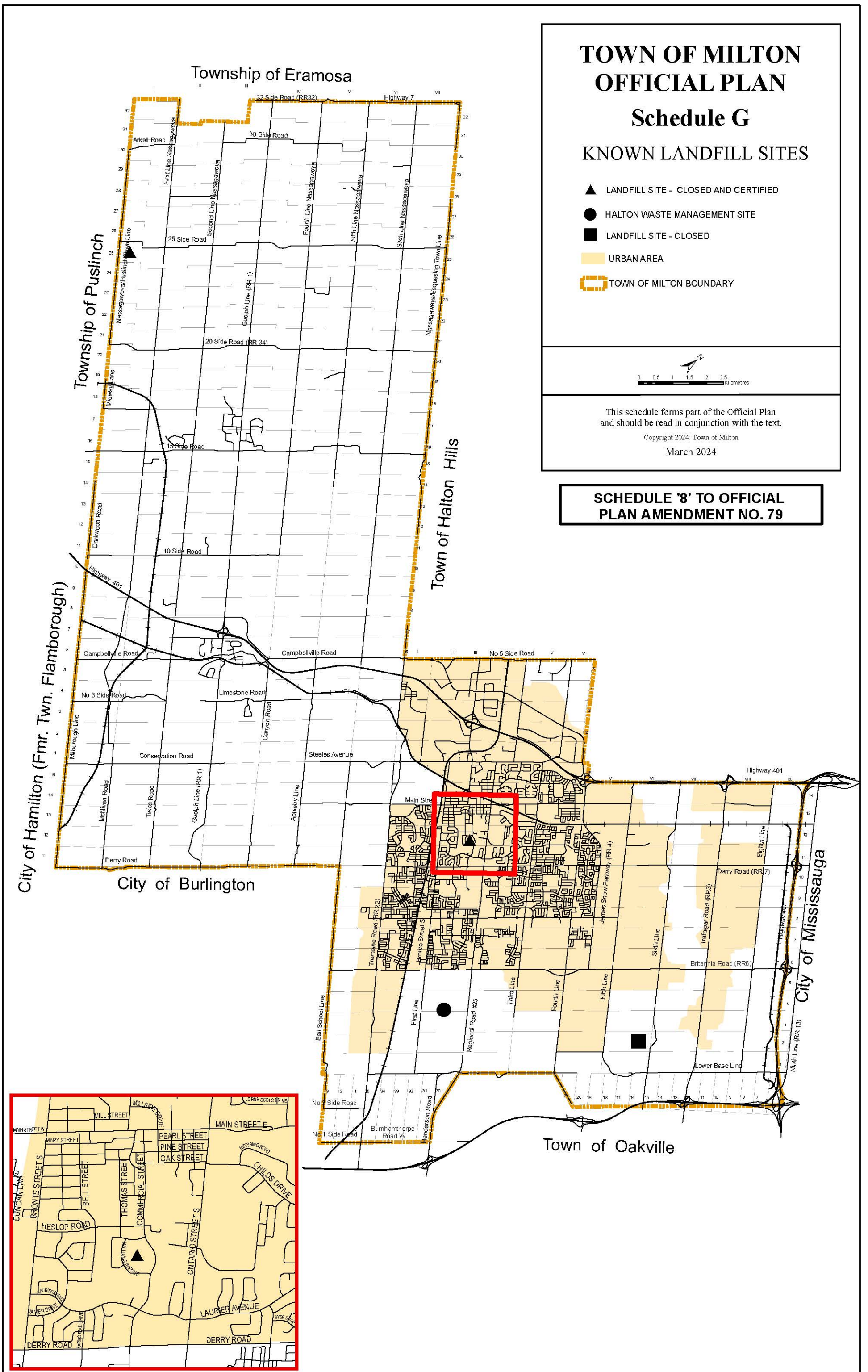


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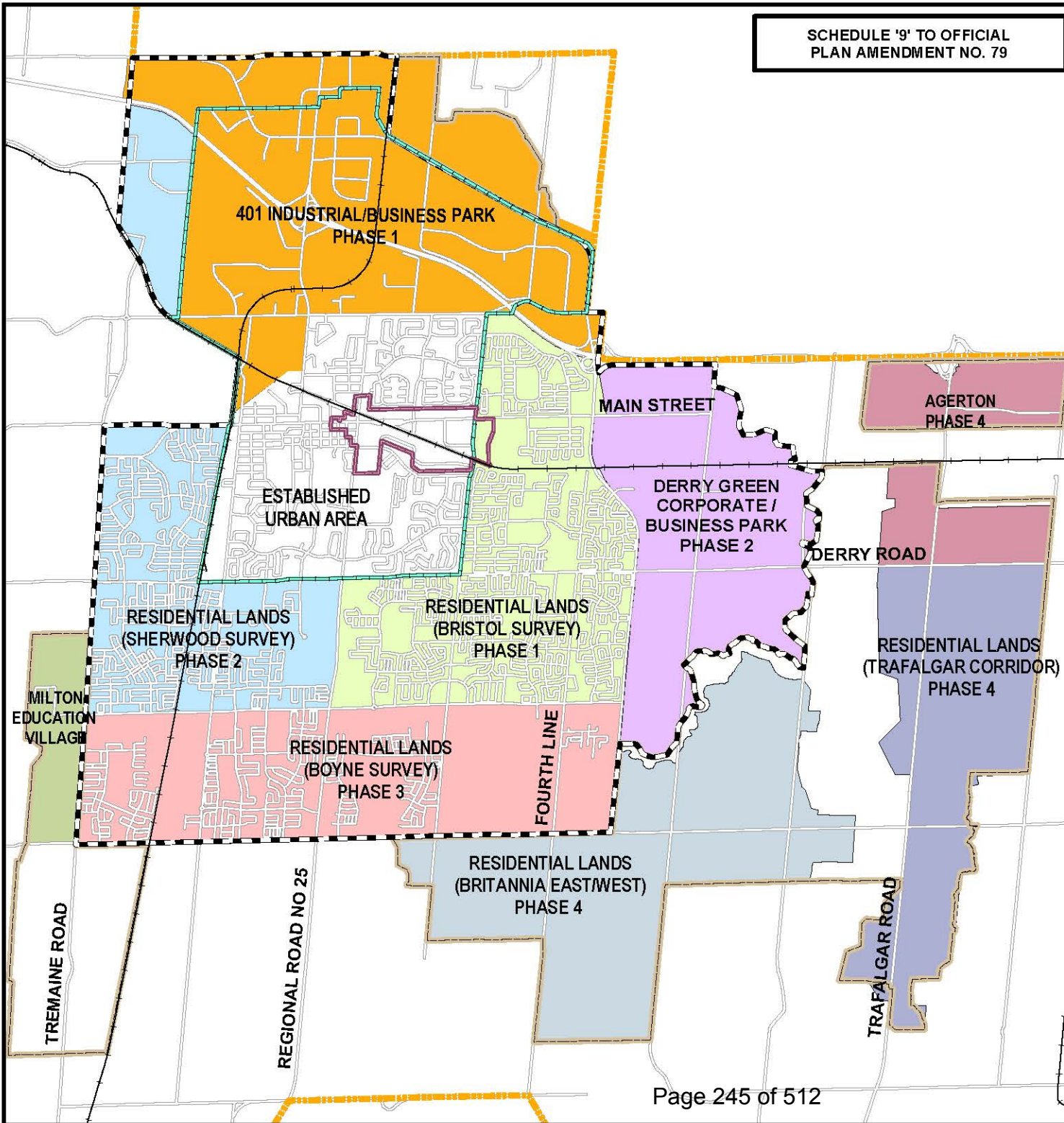
**SCHEDULE '8' TO OFFICIAL
PLAN AMENDMENT NO. 79**



TOWN OF MILTON OFFICIAL PLAN

Schedule H

PHASING OF URBAN EXPANSION



- Urban Growth Centre/Major Transit Station Area Boundary
- Established Urban Area
- Future Growth Area
- HUSP Area
- Non-Residential Phase I
- Non-Residential Phase II
- Residential Phase I
- Residential Phase II
- Residential Phase III
- Agerton Phase IV
- Britannia East/West Phase IV
- Milton Education Village
- Trafalgar Corridor Phase IV
- Municipal Boundary
- Railway



NAD 1983 - UTM Zone 17N
0 0.5 1.0 1.5 2.0 KILOMETRES

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TOWN OF MILTON OFFICIAL PLAN

Schedule I

RURAL AREA SPECIAL POLICY AREAS (Refer to Section 4.11)

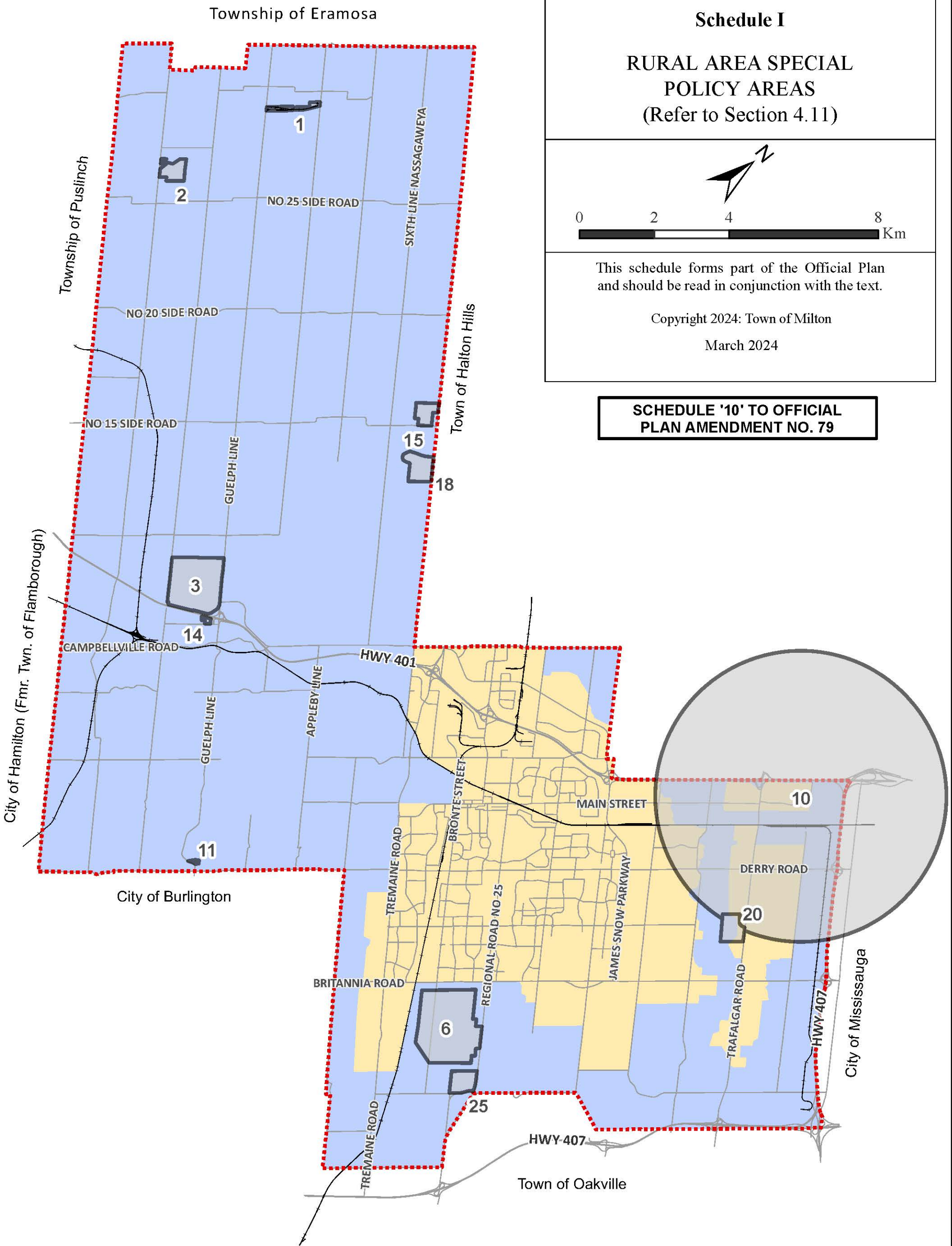


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




**SCHEDULE '10' TO OFFICIAL
PLAN AMENDMENT NO. 79**

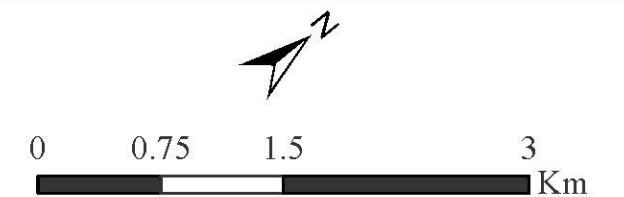


TOWN OF MILTON OFFICIAL PLAN

Schedule I1

URBAN AREA SPECIFIC POLICY AREAS (Refer to Section 4.11)

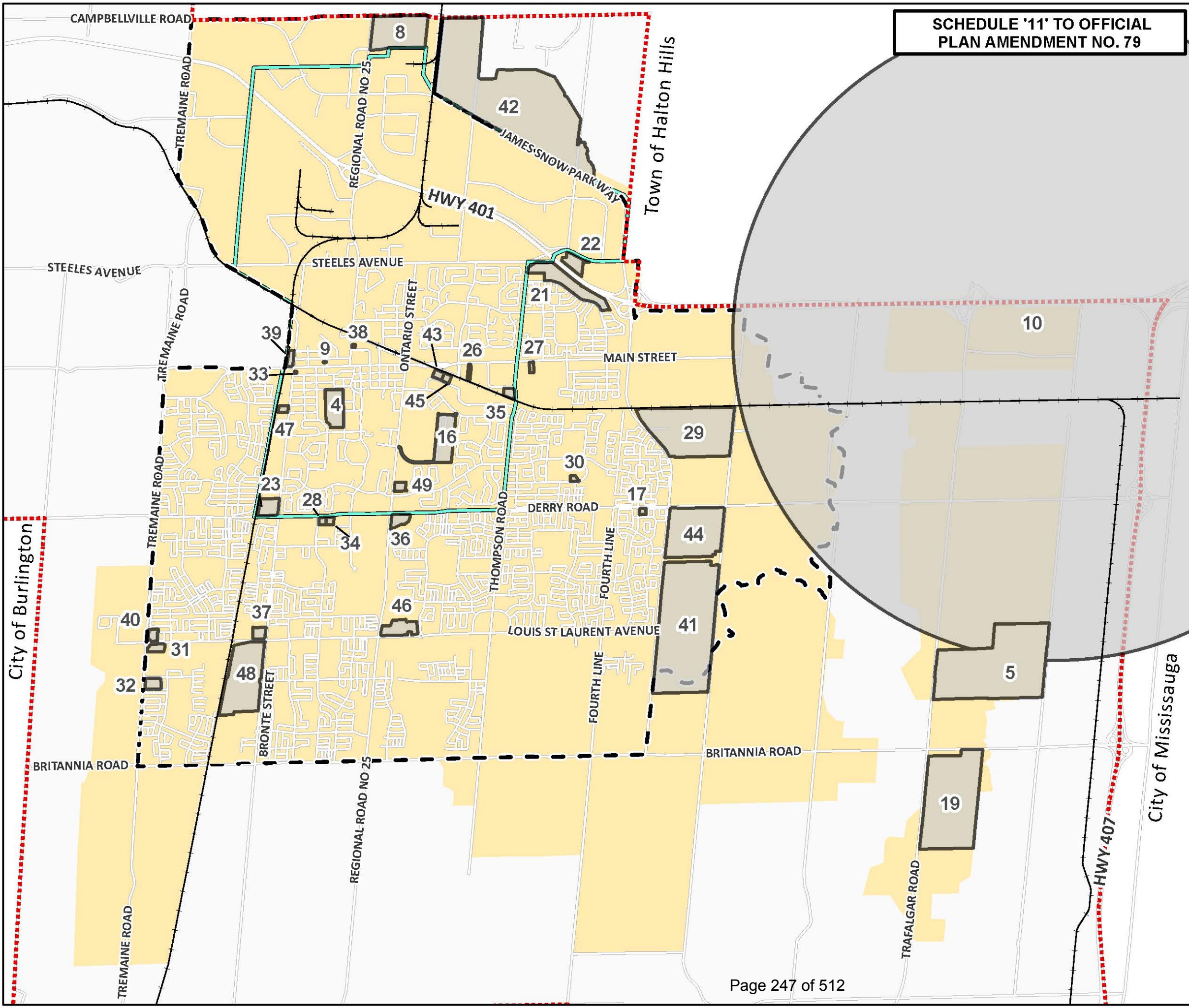
-  Rail
-  Urban Area Specific Policy Area
-  Area Milton Boundary
-  Urban Area
-  Established Urban Area
-  HUSP Area



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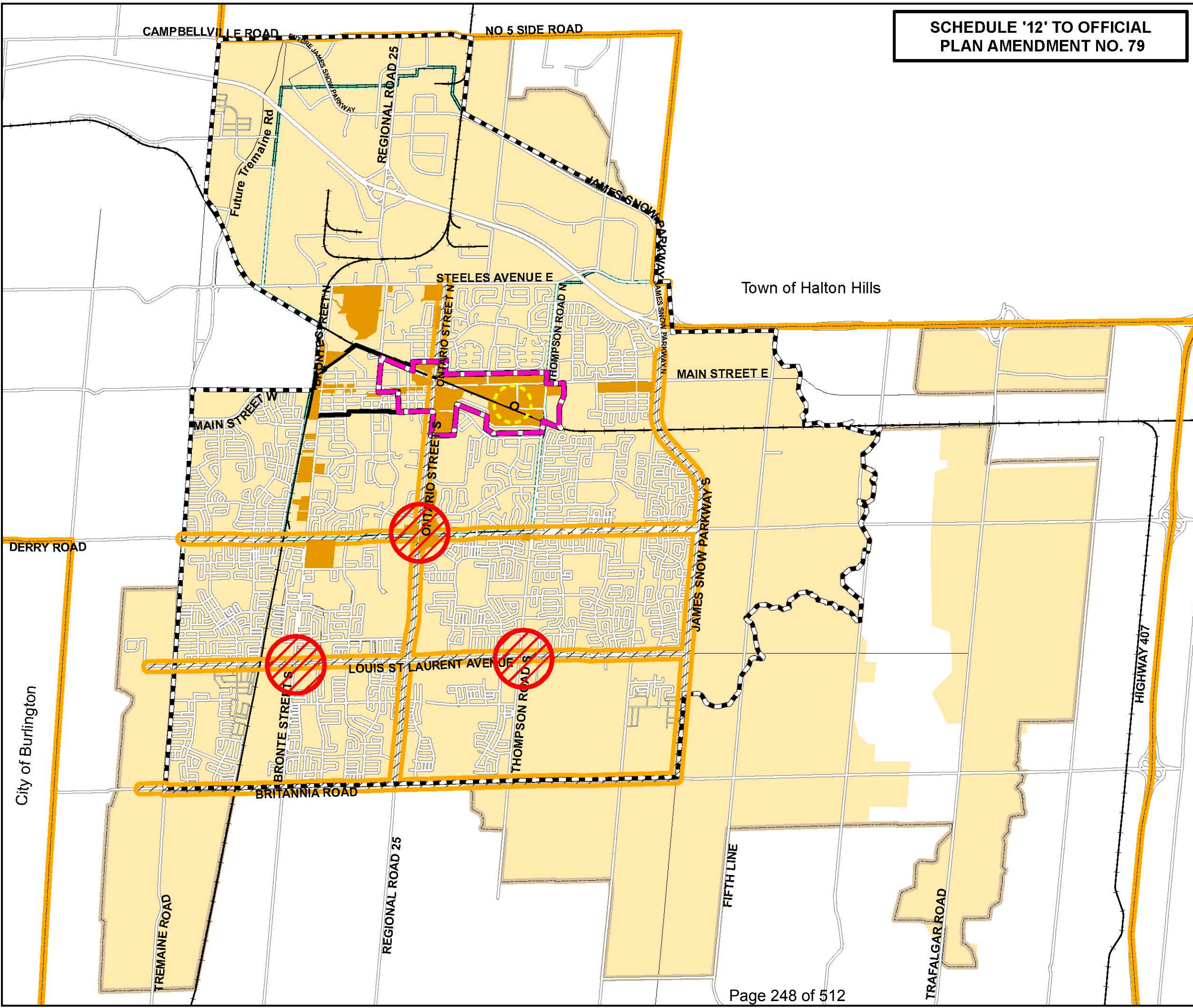
March 2024



TOWN OF MILTON OFFICIAL PLAN

Schedule K

STRATEGIC GROWTH AREAS



- Intensification Corridor
- Strategic Growth Areas
- Built Boundary
- Central Business District
- Established Urban Area
- HUSP Urban Area
- Urban Growth Centre/Major Transit Station Area Boundary
- SHP Urban Area Boundary
- Urban Area
- Municipal Boundary
- Rail
- Major Transit Station Area
- Secondary Mixed Use Node



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TOWN OF MILTON OFFICIAL PLAN

Schedule L

MUNICIPAL WELLHEAD PROTECTION ZONES



0 0.5 1 2 3 4 Kilometers

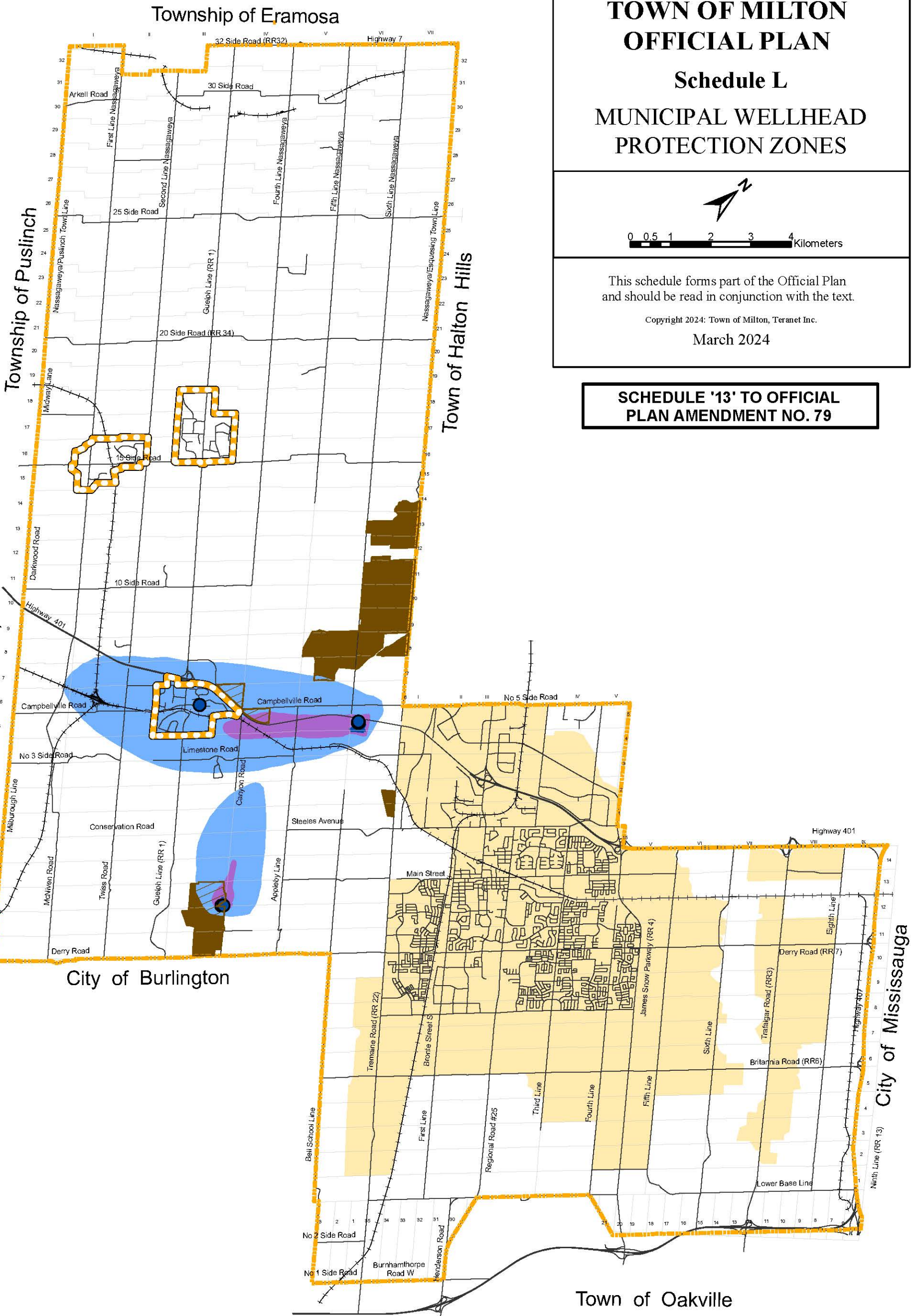
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**SCHEDULE '13' TO OFFICIAL
PLAN AMENDMENT NO. 79**

City of Hamilton (Fmr. Twn. Flamborough)



● Municipal Well

■ ZONE 1 (100 Day Travel Time)

■ ZONE 2 (100 Day to 2 Year Travel Time)

■ ZONE 3 (2 Year to 10 Year Travel Time)

□ Lots and Concessions

□ Municipal Boundary

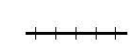
■ Mineral Resource
Extraction Area



Hamlets



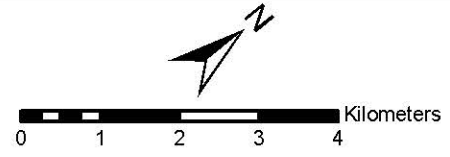
Urban Area



Rail

TOWN OF MILTON OFFICIAL PLAN

Schedule M KEY FEATURES WITHIN THE GREENBELT AND NATURAL HERITAGE SYSTEM



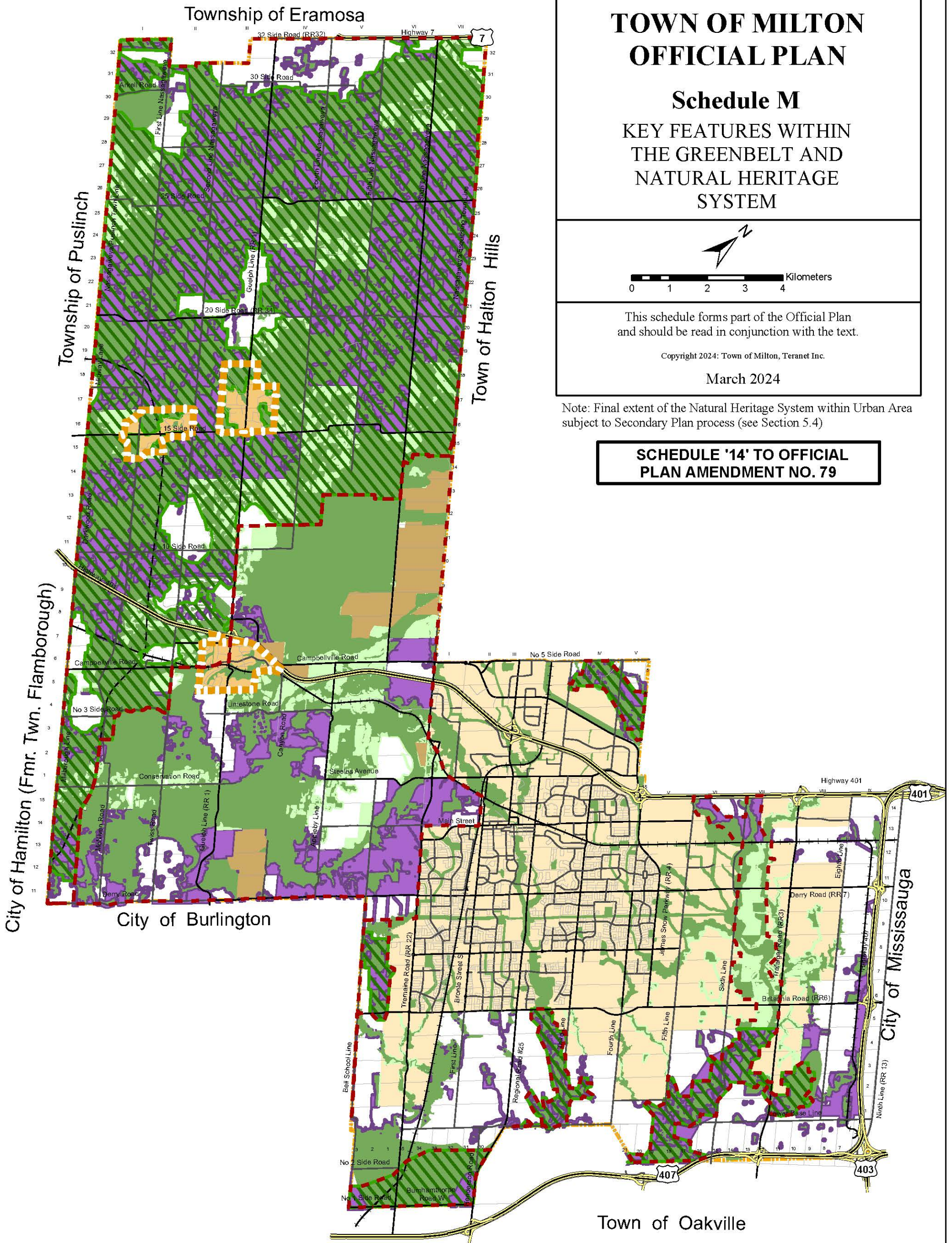
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Note: Final extent of the Natural Heritage System within Urban Area subject to Secondary Plan process (see Section 5.4)

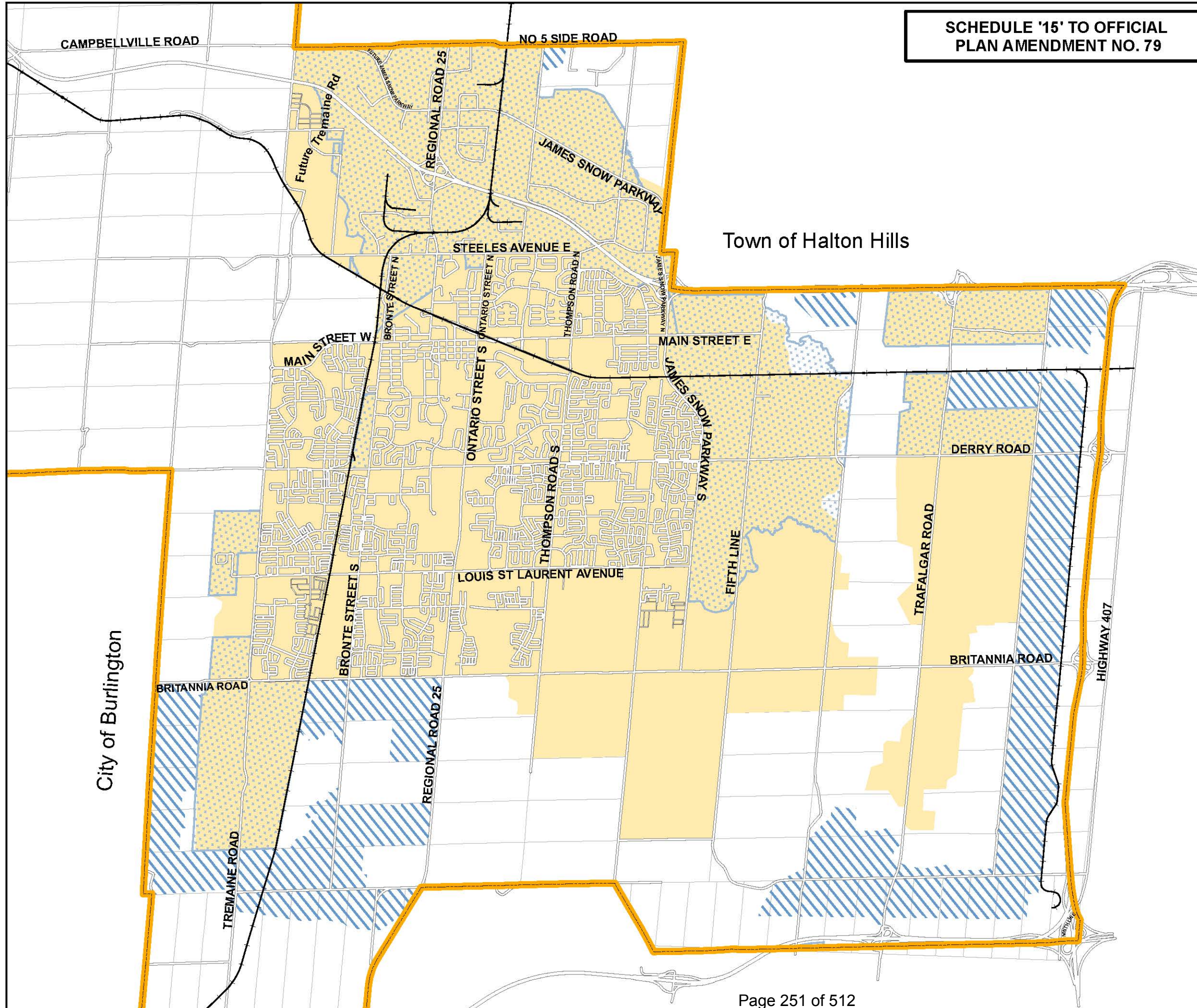
SCHEDULE '14' TO OFFICIAL PLAN AMENDMENT NO. 79



- NHS Key Features
- Enhancement Areas, Linkages, and Buffers
- Greenbelt Plan Protected Countryside
- Agricultural Areas in NHS Enhancement / Linkages / Buffers
- Mineral Resource Extraction Area
- Municipal Boundary
- Lots and Concessions
- Hamlets
- Greenbelt Natural Heritage System

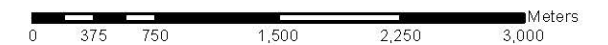
TOWN OF MILTON OFFICIAL PLAN

Schedule N FUTURE STRATEGIC EMPLOYMENT AREAS



-  Urban Area
-  Employment Area
-  Future Strategic Employment Area (Overlay)*
-  Lots and Concessions
-  Rail
-  Municipal Boundary

Note: The Future Strategic Employment Areas are not land use designations but represent a constraint to development. Refer to section 2.1.8 of this plan



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TOWN OF MILTON OFFICIAL PLAN

Schedule O AGRICULTURAL SYSTEM AND PRIME AGRICULTURAL AREAS



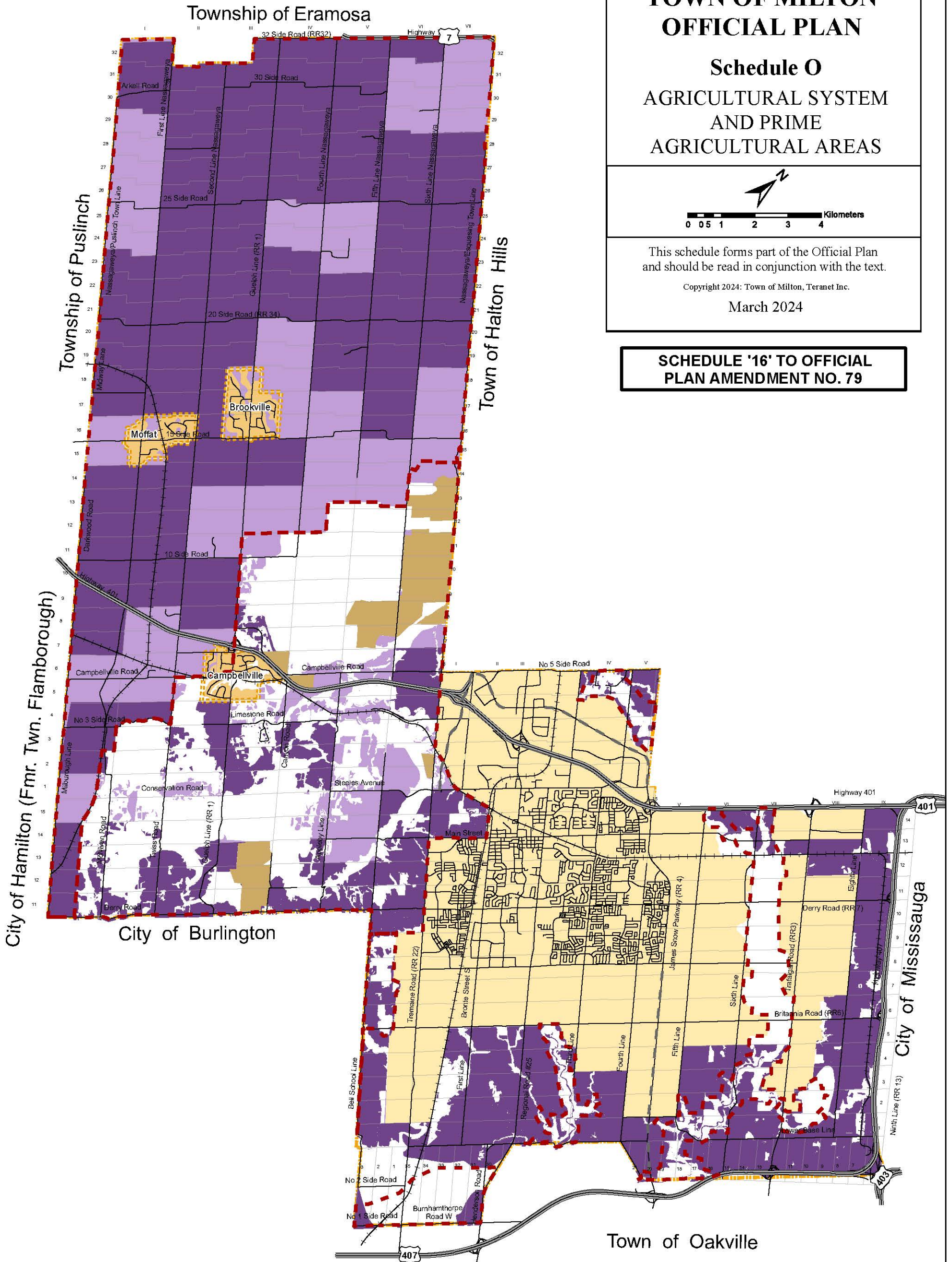
0 0.5 1 2 3 4 Kilometers

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SCHEDULE '16' TO OFFICIAL PLAN AMENDMENT NO. 79



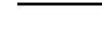




Agricultural System

-  Agricultural System outside Prime Agricultural Areas
-  Prime Agricultural Areas
-  Greenbelt Plan Boundary

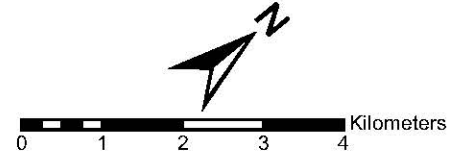
Settlement Areas

-  Urban Area
-  Hamlet

-  Proposed Major Arterial
-  Highways
-  Roads
-  Rail
-  Lots and Concessions

TOWN OF MILTON OFFICIAL PLAN

Schedule O-1 PROVINCIAL AGRICULTURAL LAND BASE MAPPING AREAS OF DIFFERENCE

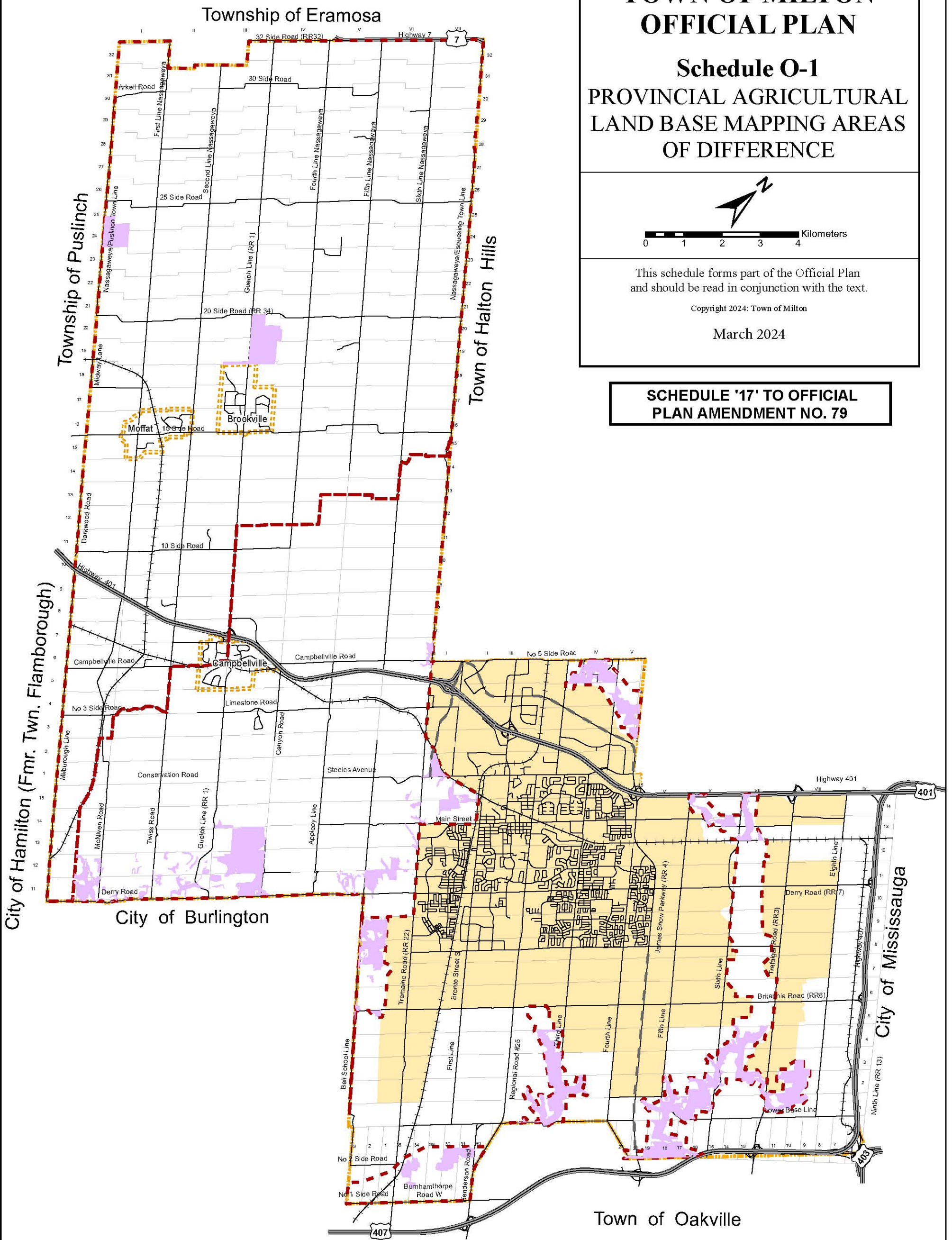


This schedule forms part of the Official Plan and should be read in conjunction with the text.

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March 2024

**SCHEDULE '17' TO OFFICIAL
PLAN AMENDMENT NO. 79**



Additional Provincial Prime Agricultural Areas *

Greenbelt Plan Boundary

Urban Area

Hamlet

Proposed Major Arterial

Highways

Roads

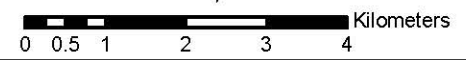
Rail

Lots and Concessions

Township of Eramosa

**TOWN OF MILTON
OFFICIAL PLAN**

**Schedule P
IDENTIFIED MINERAL
RESOURCE AREAS AND
MINERAL RESOURCE
EXTRACTION AREAS**

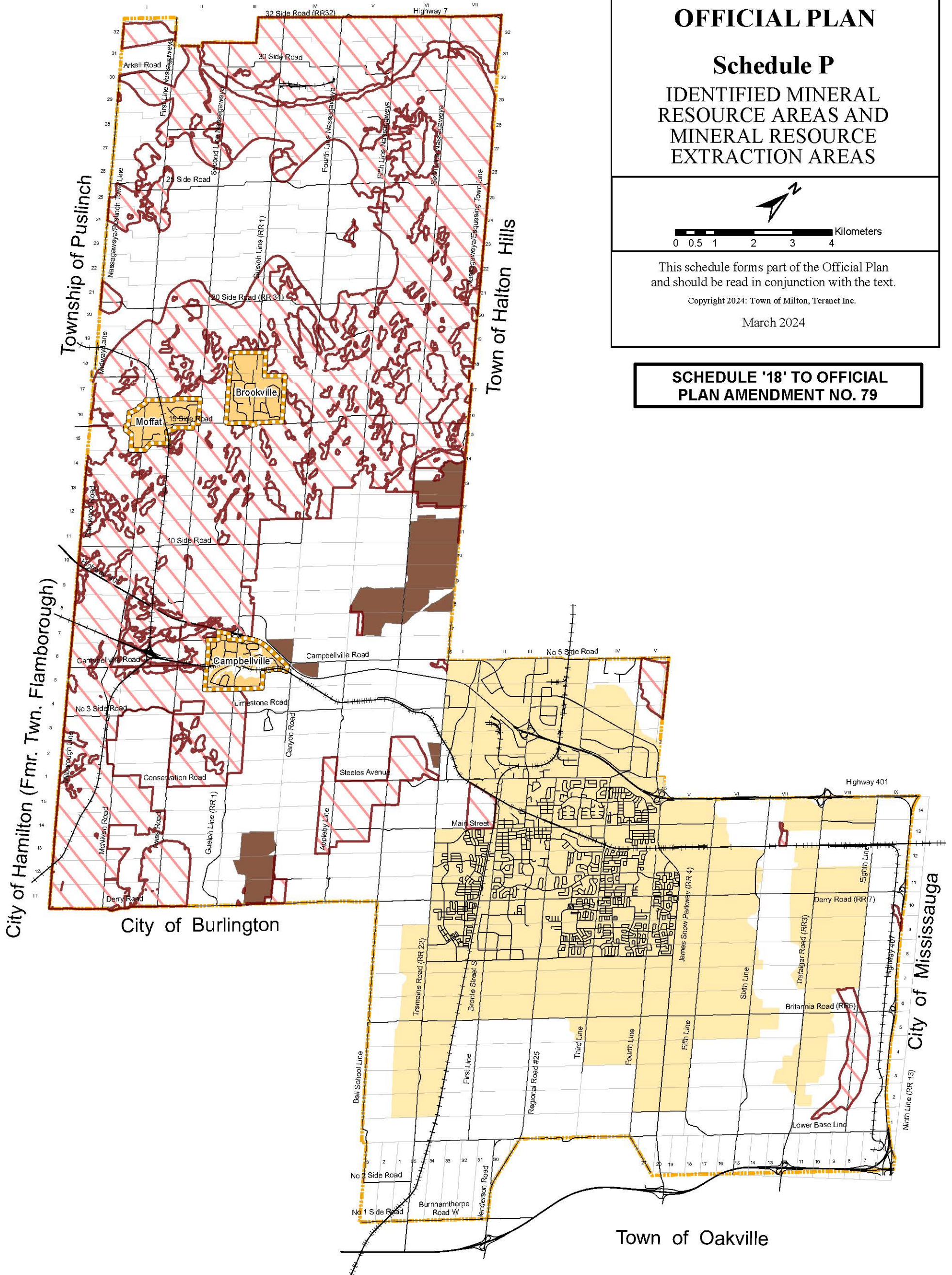


This schedule forms part of the Official Plan and should be read in conjunction with the text.

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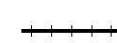
March 2024

**SCHEDULE '18' TO OFFICIAL
PLAN AMENDMENT NO. 79**



-  Mineral Resource Extraction Area
-  Identified Mineral Resource Area

-  Urban Area
-  Hamlets

-  Municipal Boundary
-  Lots and Concessions
-  Rail

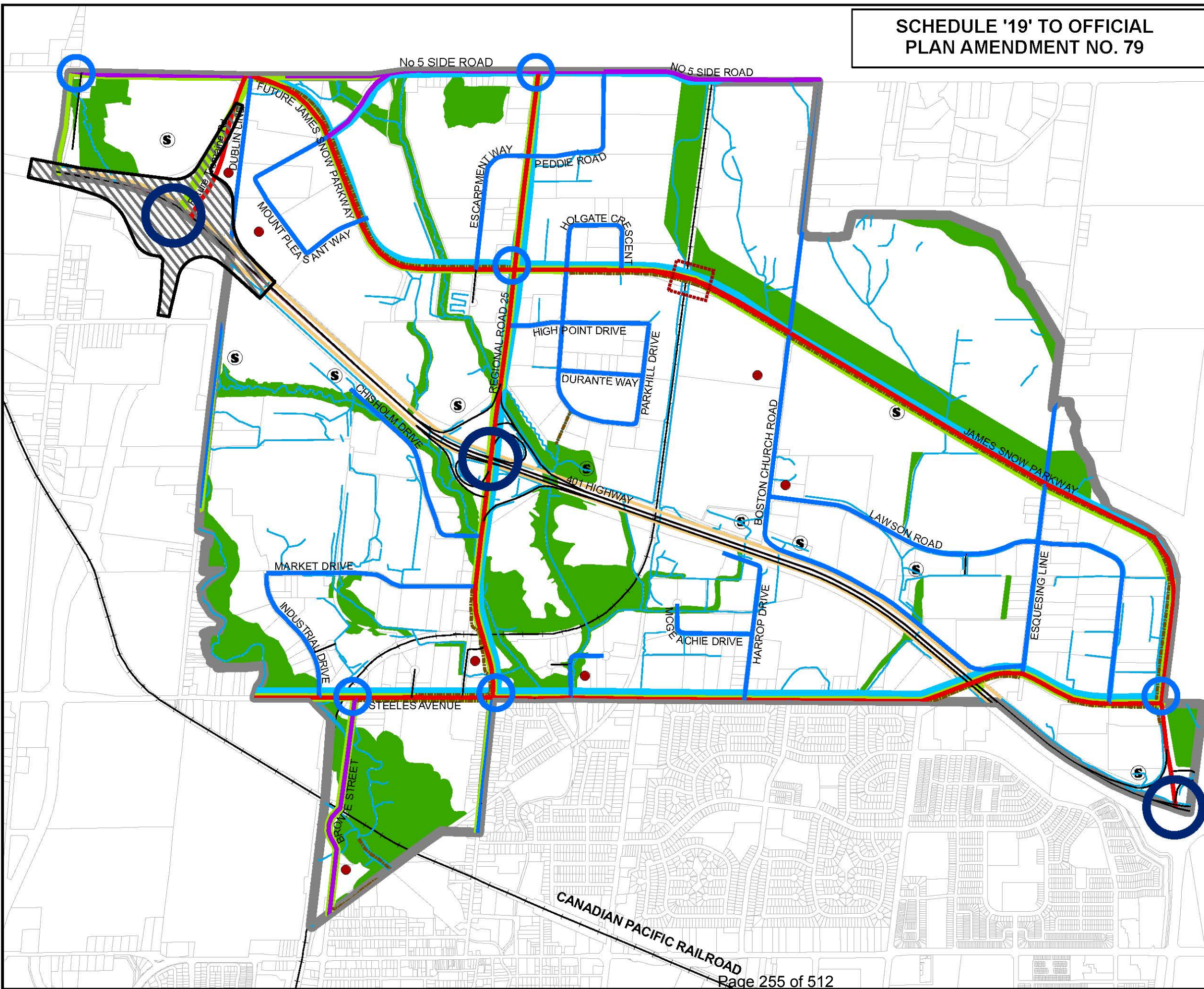
**SCHEDULE '19' TO OFFICIAL
PLAN AMENDMENT NO. 79**

**TOWN OF MILTON
OFFICIAL PLAN**

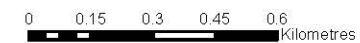
Schedule C.2.A

**MILTON 401 INDUSTRIAL/
BUSINESS PARK
SECONDARY PLAN**

STRUCTURE PLAN



- 401 Landscape Corridor
- Gateway Street/
Enhanced Streetscape Design
- On-Street Bike System
- Major Arterial
- Minor Arterial
- Collector
- Local Roads
- Trail
- Primary Gateway
- Secondary Gateway
- Stormwater Management Pond
- Character Building
- Railway Crossing
- Planned 401 Interchange
- Natural Heritage System
- Secondary Plan Boundary
- Waterway
- Railway



This Schedule Forms Part Of The
Official Plan And Should Be Read
Together With The Text.

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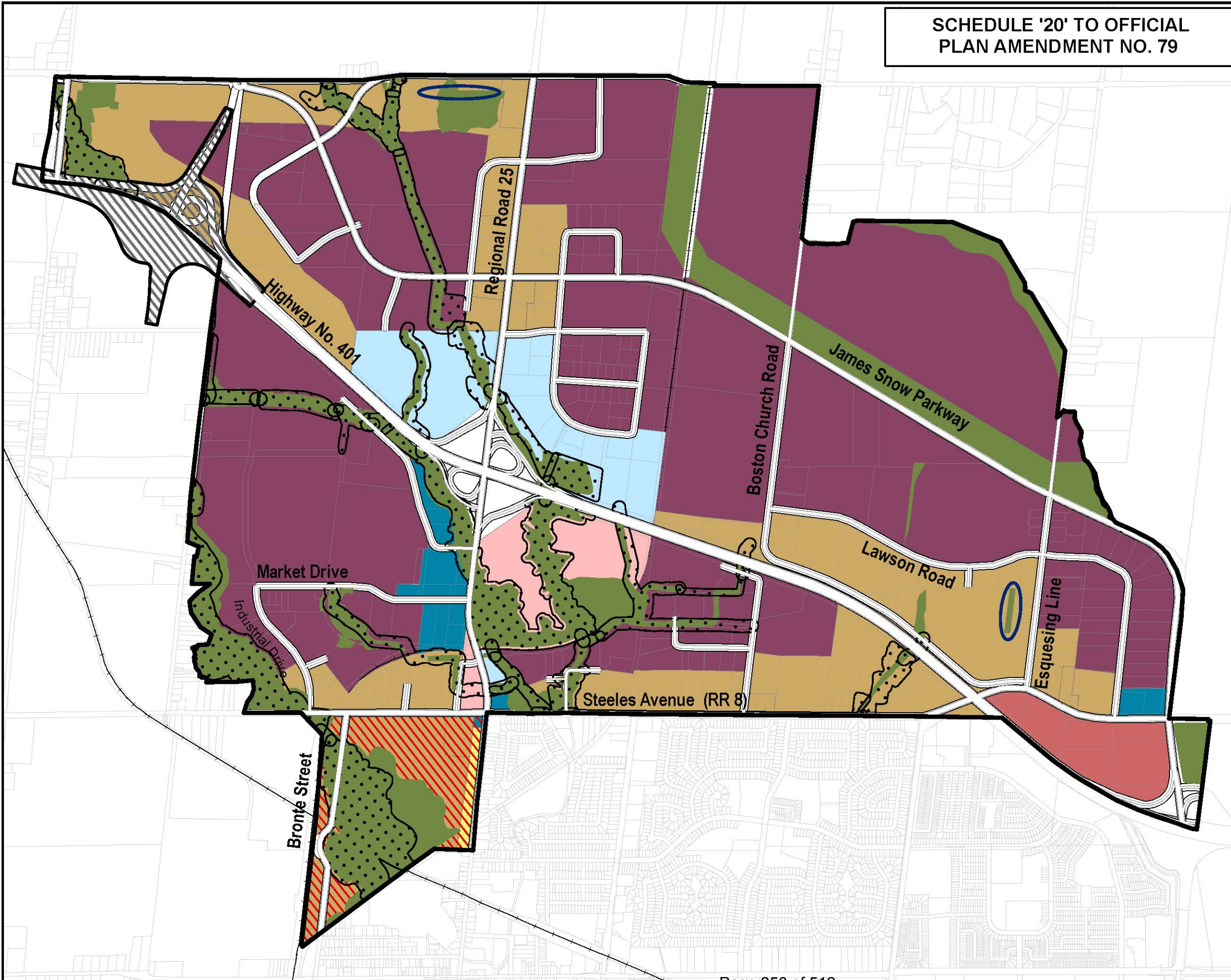
March 2024

**TOWN OF MILTON
OFFICIAL PLAN**

Schedule C.2.B

**MILTON 401 INDUSTRIAL/
BUSINESS PARK
SECONDARY PLAN**

LAND USE PLAN



-  Railway
-  Planned 401 Interchange
-  Regulatory Flood Plain
-  Natural Heritage System
-  Institutional Area
-  Business Park Area
-  Business Commercial Area
-  Industrial Area
-  Office Employment Area
-  Residential
-  Major Commercial Centre
-  Residential Special Policy Area
-  Special Study Area

0 0.15 0.3 0.45 0.6 Kilometres



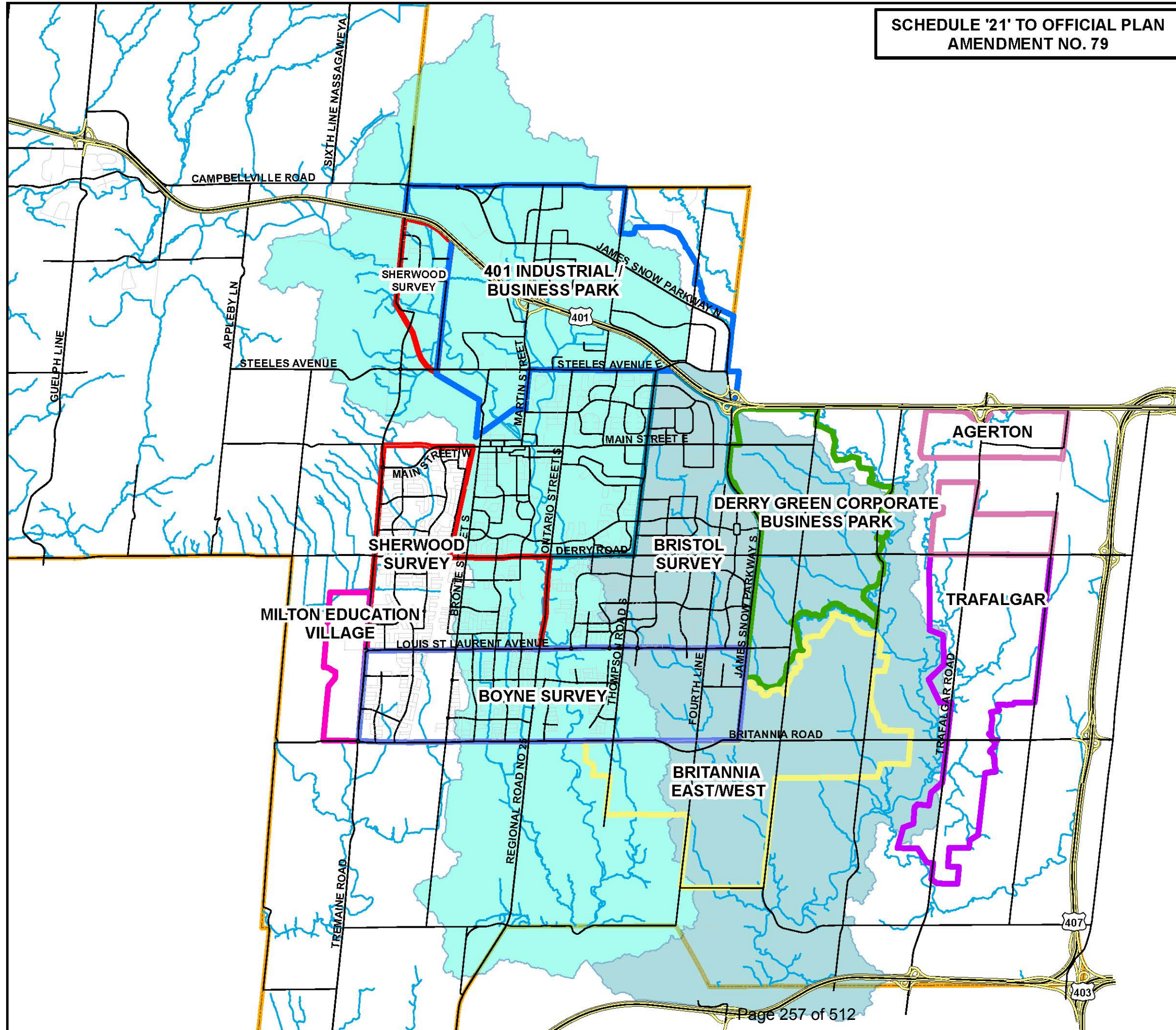
This Schedule Forms Part Of The
Official Plan And Should Be Read
Together With The Text.

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March 2024

TOWN OF MILTON OFFICIAL PLAN

Appendix C.6.C

SUBWATERSHED AREAS 2 AND 7



-  Agerton
-  Boyne Survey
-  Bristol Survey
-  Britannia East/West
-  Derry Green Corporate Business Park
-  Milton Education Village
-  Sherwood Survey
-  Trafalgar
-  401 Industrial / Business Park
-  Watercourse
-  Subwatershed 2
-  Subwatershed 7
-  Municipal Boundary

NOTE: The Planning District Boundaries are subject to change in accordance with the ultimate phasing scheme.



NAD 1983 - UTM Zone 17N



This Schedule Forms Part Of The
Official Plan Including O.P.A No 3 & 7
And Should Be Read Together With The Text.

(C) Copyright Teranet, Town of Milton 2024

March 2024

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, TO REMOVE LANDS FROM THE RURAL ZONING BY-LAW IN RESPECT OF THE LANDS AS DEPICTED ON FIGURE 1: ZONING CONTEXT MAP AND TO REZONE LANDS IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOTS 3 AND 4, CONCESSION 4 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) - FILES: LOPA-09/21, Z-26/21 AND 24T-21007/M

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, as amended;

AND WHEREAS the lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 79 taking full effect;

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

1. **THAT** Comprehensive Zoning By-law 144-2003, as amended, is hereby repealed as it applies to lands identified as 'Subject Area' as shown on 'Figure 1' attached hereto.
2. **THAT** Schedule A to Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by removing the lands identified as 'Subject Area' as shown on 'Figure 1' attached hereto.
3. **THAT** Schedule A to comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by changing the existing Agricultural (A1) and Greenlands A (GA) zone symbols to the Greenlands A (GA) and Greenlands B (GB) zone symbols on the land shown on Schedule A attached hereto.
4. 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.

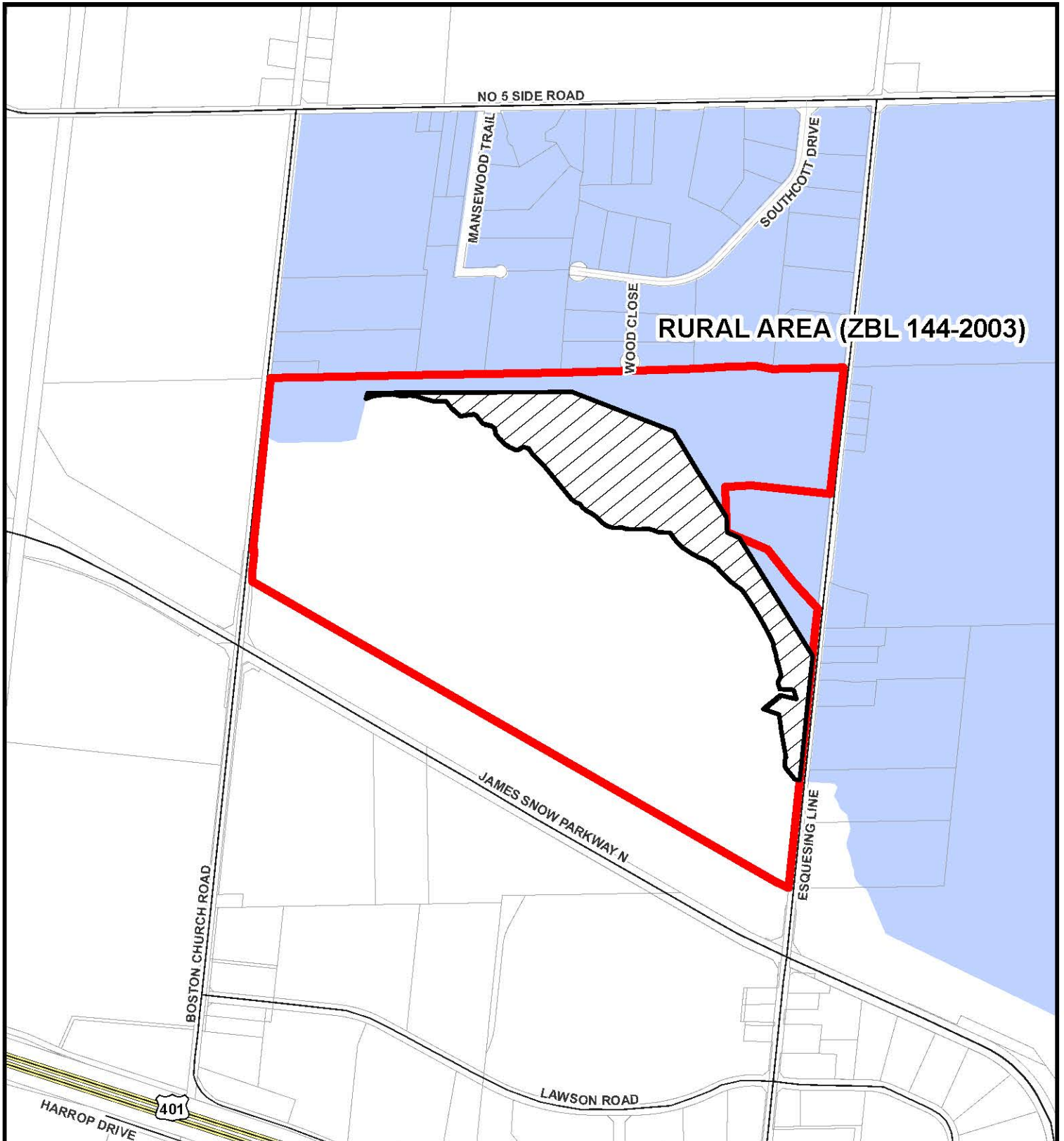
PASSED IN OPEN COUNCIL ON MARCH 25, 2024.

Mayor

Gordon A. Krantz

_____ Town Clerk
Meaghen Reid

FIGURE 1 ZONING CONTEXT MAP



Council Meeting Date:
March 25th, 2024

Scale: 1: 12,254

Files: LOPA-09/21, Z-26/21
& 24T-21007/M

Development Services Department

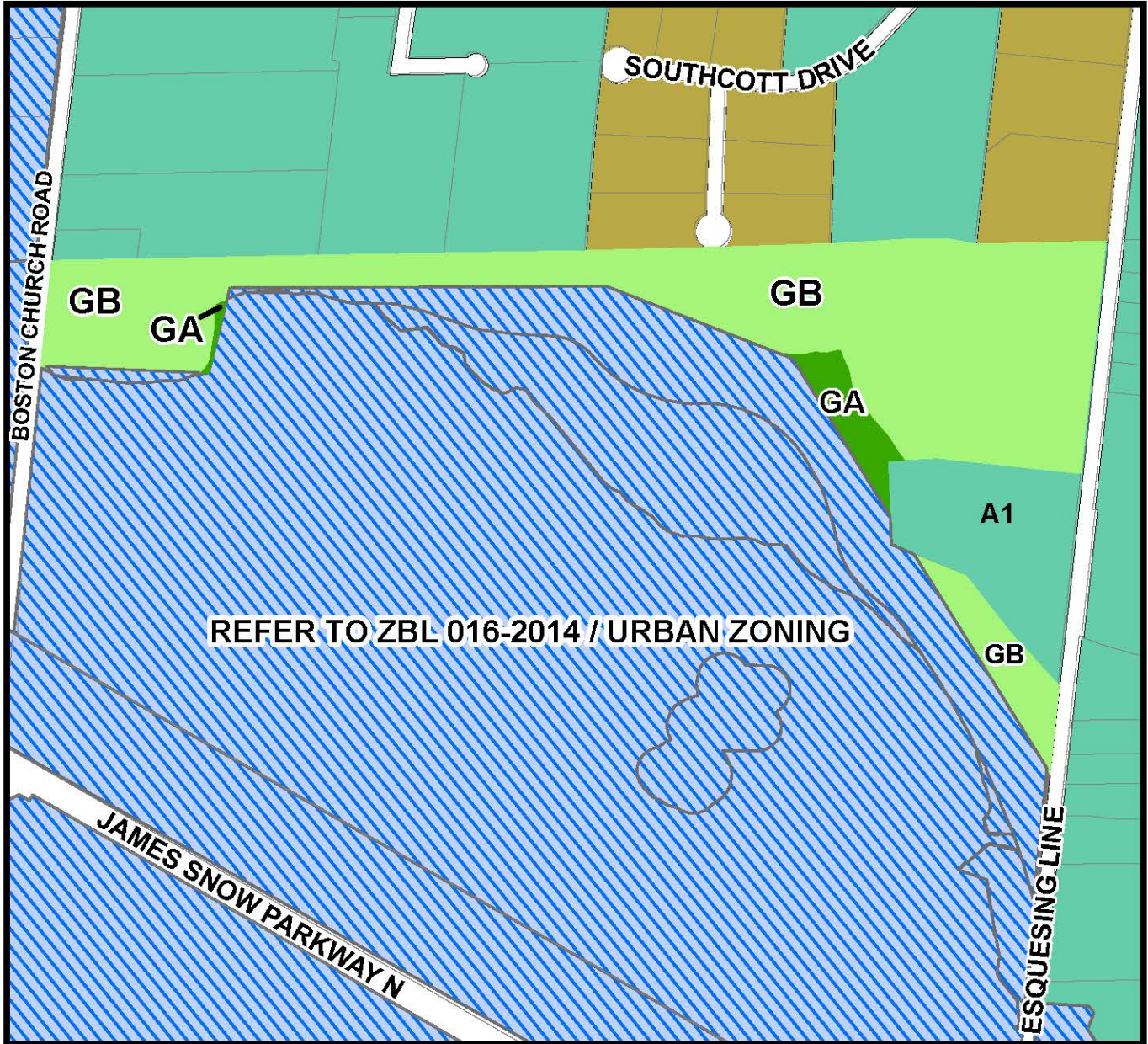


Subject Area removed from ZBL 144-2003, as amended

**SCHEDULE A
TO BY-LAW No. -2024
TOWN OF MILTON**

8350 Esquesing Line
PART OF LOT 3 AND 4, CONCESSION 4,
TOWNSHIP OF ESQUESING REGIONAL MUNICIPALITY OF HALTON

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS 25TH DAY OF MARCH, 2024.

- GA - Greenlands A Zone
- GB - Greenlands B Zone

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, TO ADD LANDS INTO THE URBAN ZONING BY-LAW AS DEPICTED ON FIGURE 1: ZONING CONTEXT MAP AND REZONE LANDS IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOTS 3 & 4, CONCESSION 4 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) - FILES: LOPA-09/21, Z-26/21 AND 24T-21007/M

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 lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 79 taking full effect;

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

1. **THAT** Comprehensive Zoning By-law 016-2014, as amended, is hereby amended by adding the lands identified as 'Subject Area' as shown on 'Figure 1' attached hereto.
2. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) zone symbols to a site-specific General Industrial (M2*343), site-specific Business Commercial (C6*344), Open Space (OS), Open Space - 2 (OS-2) and Natural Heritage System (NHS) zone symbols on the land shown on Schedule A attached hereto.
3. **THAT** Section 3 (Definitions) is amended by adding the following new definitions:
 - a. "BROADCASTING/COMMUNICATION FACILITY shall mean a building, structure or premises, used for broadcasting purposes including transmitting and receiving devices and may include film and/or TV production or studio."
 - b. "COURIER/MESSENGER SERVICE shall mean a building used by a courier services where goods, packages, merchandise, articles, or things are received by transport truck and are sorted and/or transferred to delivery vehicles for a local distribution and vice versa, but shall not include a Transportation Terminal."

4. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.343 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the General Industrial (M2*343) zone the following standards and provisions shall apply:

- a. Notwithstanding Section 8.1 - Table 8A Permitted Uses, the following additional uses shall be permitted:
 - i. Broadcasting/Communication Facility
 - ii. Courier/Messenger Service
 - iii. Wholesale Operation
- b. Special Site Provisions
 - i. Notwithstanding Footnote (*7) to Table 8A associated with an Industrial Use or Wholesale Operation Use, up to a maximum of 15% of the gross floor area of the principle use or 750 m², whichever is less, may be used for the retail sale of goods or products produced on the premises.
 - ii. Notwithstanding any provision to the contrary, Footnote (*8) to Table 8A shall not apply.
 - iii. Notwithstanding Footnote (*9) to Table 8A, an office use accessory to a principle use shall be limited to 49% of the gross floor area.
 - iv. Notwithstanding Table 5L, a minimum parking area setback to a street line in an Employment Zone shall be 3.0 metres.
 - v. Notwithstanding Table 8B, a minimum landscape buffer abutting a street line shall be 3.0 metres.
 - vi. Notwithstanding Section 5.1 iv) and vii) to the contrary, tandem truck trailer parking shall be permitted.
 - vii. Notwithstanding Table 8B, the maximum building height shall be 35.0 metres.

5. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.344 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the Business Commercial (C6*344) zone the following standards and provisions shall apply:

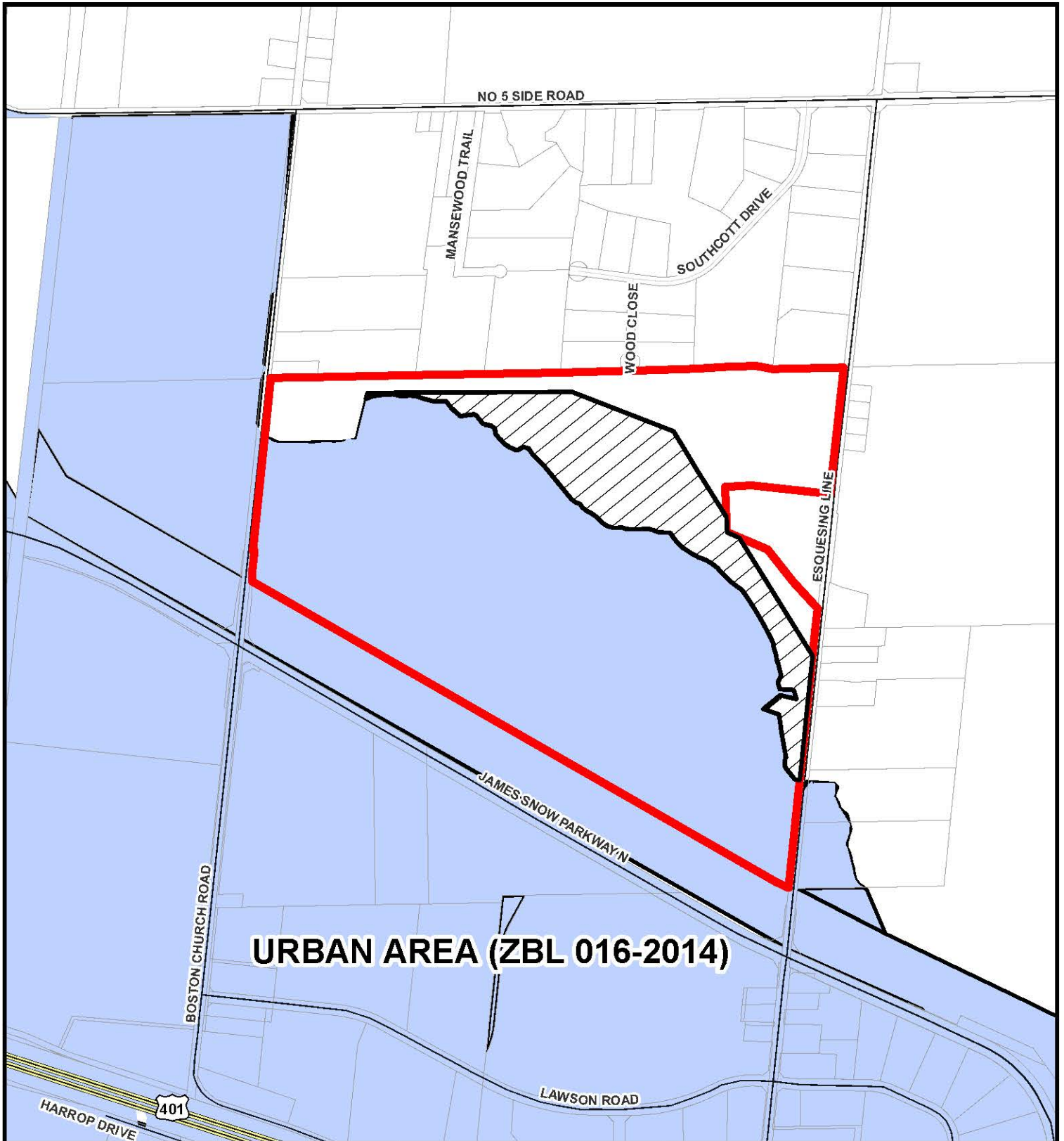
- a. Notwithstanding Section 7.1 - Table 7B Permitted Uses, the following additional use shall be permitted:
 - i. Service and Repair Shop
 - b. Special Site Provisions
 - i. Notwithstanding Section 7.1 - Table 7D, the maximum lot area shall be 4,300 square metres (1.06 acres).
6. If no appeal is filed 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 MARCH 25, 2024.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid

FIGURE 1 ZONING CONTEXT MAP



URBAN AREA (ZBL 016-2014)

Council Meeting Date:
March 25th, 2024

Scale: 1: 12,254

Files: LOPA-09/21, Z-26/21
& 24T-21007/M

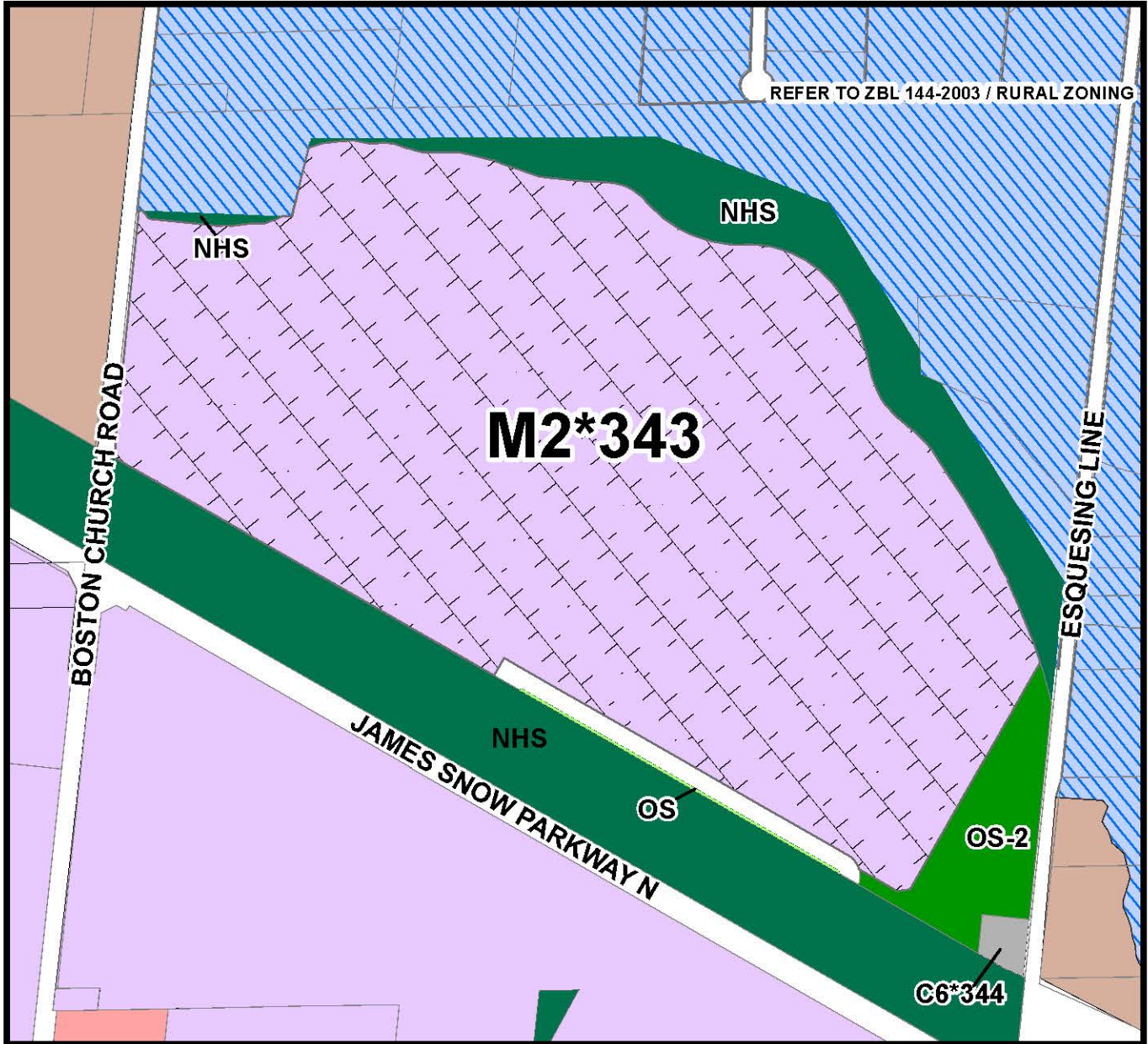
Development Services Department



Subject Area added to ZBL 016-2014, as amended

**SCHEDULE A
TO BY-LAW No. -2024
TOWN OF MILTON**

8350 Esquesing Line
PART OF LOT 3 AND 4, CONCESSION 4,
TOWNSHIP OF ESQUESING REGIONAL MUNICIPALITY OF HALTON
Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS 25TH DAY OF MARCH, 2024.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  C6*344 - Business Commercial Zone Special
-  M2*343 - General Industrial Zone Special
-  OS - Open Space Zone
-  OS-2 - Open Space - Storm Water Management Zone
-  NHS - Natural Heritage System
-  Refer to ZBL 144-2003, as amended



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 5, CONCESSION 3 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HEARTLAND (SEVEN) LIMITED AND QUARRE PROPERTIES INC. (ORLANDO CORPORATION)) - FILES: Z-27/21 AND 24T-21008/M

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

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 General Industrial (M2*345) zone and Natural Heritage System (NHS) zone symbols on the land shown on Schedule A attached hereto.
2. **THAT** Section 3 (Definitions) is amended by adding the following new definition:
 - a. "COURIER/MESSENGER SERVICE shall mean a building used by a courier services where goods, packages, merchandise, articles, or things are received by transport truck and are sorted and/or transferred to delivery vehicles for a local distribution and vice versa, but shall not include a Transportation Terminal."
3. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.345 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the General Industrial (M2*345) zone the following standards and provisions shall apply:

- a. Notwithstanding Section 8.1 - Table 8A Permitted Uses, the following additional uses shall be permitted:
 - i. Stormwater Management Facility
 - ii. Courier/Messenger Service

- iii. Wholesale Operation
- b. Special Site Provisions
 - i. Notwithstanding Footnote (*7) to Table 8A associated with an Industrial Use or Wholesale Operation Use, up to a maximum of 15% of the gross floor area of the principle use or 750 m2, whichever is less, may be used for the retail sale of goods or products produced on the premises.
 - ii. Notwithstanding any provision to the contrary, Footnote (*8) to Table 8A shall not apply.
 - iii. Notwithstanding Footnote (*9) to Table 8A, an office use accessory to a principle use shall be limited to 49% of the gross floor area.
 - iv. Notwithstanding Table 5L, a minimum parking area setback to a street line in an Employment Zone shall be 3.0 metres.
 - v. Notwithstanding Table 8B, a minimum landscape buffer abutting a street line shall be 3.0 metres.
 - vi. Notwithstanding Section 5.1 iv) and vii) to the contrary, tandem truck trailer parking shall be permitted.
 - vii. Notwithstanding Table 8B, the maximum building height shall be 35.0 metres.
- 4. 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 MARCH 25, 2024.

Gordon A. Krantz Mayor

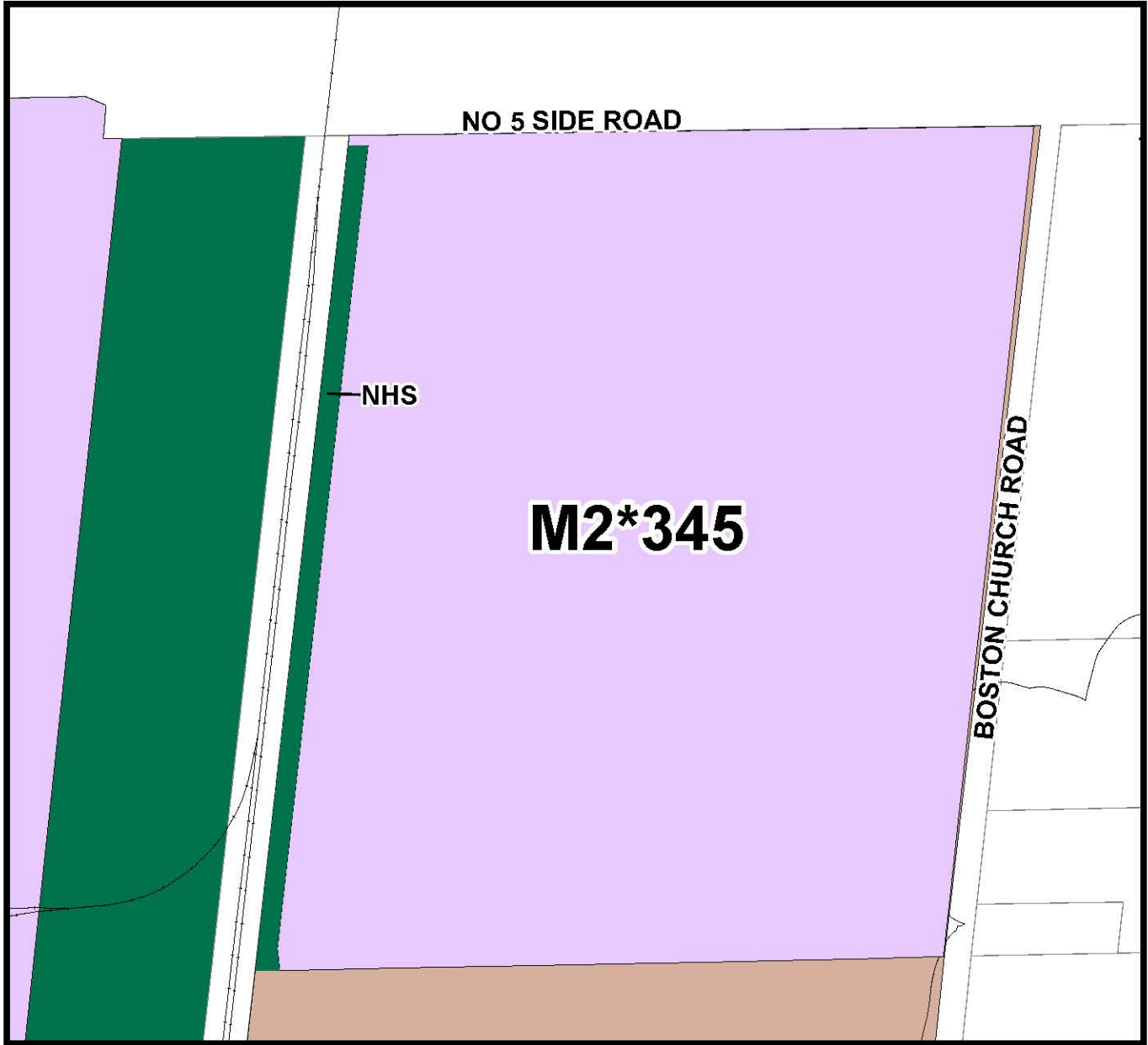
Meaghen Reid Town Clerk

SCHEDULE A
TO BY-LAW No. -2024

TOWN OF MILTON

8802, 8820, 8830, 8872, and 8880 Boston Church Road
ESQUESING CON 3 ESQ PT LOT 5 AND RP 20R16815 PART 1 IRREG 76.01AC FR D

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS 25TH DAY OF MARCH, 2024.

 M2*345 - General Industrial Zone Special

 NHS - Natural Heritage System

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid





The Corporation of the Town of Milton

Report To: Council

From: Meaghen Reid, Director, Legislative & Legal Services/Town Clerk

Date: March 25, 2024

Report No: CORS-011-24

Subject: Administrative Penalty System (APS) Program Expansion

Recommendation: THAT staff be directed to proceed with the expansion of the Town's Administrative Penalty System (APS);

AND THAT staff be directed to bring forward the necessary by-law for consideration at a future Council meeting, following consultation on the draft proposed by-law, included as Schedule A to this report;

AND THAT the policies attached to this report in Schedules B to G be adopted, upon enactment of the APS by-law, and be incorporated into the Town's Corporate Policy Manual;

AND THAT the necessary additional staffing resources be approved to implement and successfully maintain the program outlined in this report and to support future programs such as License Plate Recognition Software and Automated Speed Enforcement;

AND THAT a new funding transfer from the Tax Stabilization Reserve to the operating budget be approved for 2024 in an estimated amount of \$94,102 in order to implement the program, and that the estimated annual net annual cost of \$108,636 be considered as part of the 2025 Budget process.

AND THAT the new administration fees as set out in this report be approved and included in the Town's User Fee By-law at the next available opportunity.

EXECUTIVE SUMMARY

The purpose of this report is to obtain Council approval to expand the Town's Administrative Penalties System (APS) that is currently in place for parking offences and parking penalty dispute resolution (or adjudication). Staff recommend that the Town proceeds with the expansion of this program to implement an Administrative Penalty

EXECUTIVE SUMMARY

System (APS) for non-parking related offences, as outlined as Phase 1 in this report. The implementation of this first phase of the APS expansion will support the implementation of future programs, including license plate recognition software and automated speed enforcement (ASE).

Expanding the APS program to include administrative penalties and a dispute resolution process for the Town's enforcement of regulatory by-laws will transfer a significant number of by-law offence dispute hearings from the Provincial Offences Court to the Town's established APS program with the use of Screening and Hearing Officers.

APS provides faster resolution process for the public, more efficiencies for staff and will significantly promote compliance with Town by-laws. The APS dispute resolution process includes a Screening Officer's initial review of a disputed penalty infraction notice. If the matter cannot be successfully remedied through the Screening review process, a Hearing Officer may further review infraction notices upon request of the individual charged. The Hearing Officer has final and binding authority over the matter.

In order to proceed with the implementation of an APS program for non-parking penalties, the following is required in advance of the expansion of this program:

- A draft by-law has been presented for Council's review and, following consultation, staff will bring forward a final by-law for Council's consideration at a future meeting.
- Required policies, already in place with the existing APS program, have been reviewed and updated with necessary, minor amendments to reflect current practice and provide greater clarity. Staff recommend that the policies set out in Schedules B to G be adopted and replace the policies that were introduced through Staff Report [CORS-044-21](#).
- Additional staffing resources will be required and new user fees will need to be approved. The expansion of the APS program to non-parking matters is expected to result in a net annual cost to the Town of \$108,636, as outlined in this report. It is recommended that the incremental new cost for 2024 be funded from the Town's Tax Stabilization reserve, and that the full annual cost be considered as part of the 2025 Budget process.

REPORT

Background

Administrative Penalties are, as the name suggests, penalties imposed administratively by regulatory authorities to promote compliance with regulatory laws where there has been non-compliance. Administrative Penalties are distinct from fines and other sentencing provisions, which are imposed by courts for offences after a conviction. Administrative Penalties are not intended to punish an offence, but solely to promote compliance.

Administrative Penalties have long been used in the regulatory sector. However, they are a relatively new compliance tool for municipalities. In 2006, the Province introduced Administrative Penalties into the Municipal Act for parking contraventions. More recently, in 2017, section 434.1(1) was introduced, which provides that a municipality may require a person, subject to such conditions as the municipality considers appropriate, to pay an Administrative Penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under that Act. In addition, a person cannot be charged with an offence and issued an Administrative Penalty for the same contravention.

The Town began to introduce Administrative Penalties by first establishing an APS parking program. On February 1, 2022 the Town implemented the APS parking program to aid in the management of parking infraction notice disputes. To date, the APS parking program has increased efficiencies and expedited dispute resolutions.

Since the Town's introduction of the APS program for parking infraction dispute resolution (Screening and/or Hearing review), the average time to resolve a parking dispute is 17 days. Through POA proceedings previously, parking ticket resolutions were heard within 120 to 160 days of receiving the infraction notice. A review of the program, since it was introduced, shows that the cost of the program has been fully recovered by the associated fees charged, as projected through the initial business case.

Currently, the only way to address non-parking contraventions is through the Provincial Offences Act (POA). Currently, the dispute resolution process can take 6-8 months for less serious matters and can take 18 months or more for more serious matters due to limited court resources and delays, including defense delays. These delays and reduced systemic capacity are occurring at a time when the Town is experiencing increased enforcement pressures due, in large part, to serious contraveners who have financial incentives to prolong contravention as long as possible. In this context, delay in and of itself, assists in encouraging contravention.

As discussed further in this report, the expansion of the APS program to all regulatory by-laws will bring more expeditious resolution of by-law compliance matters in a fair and accessible manner, create a new and effective tool to promote compliance, and alleviate the burden on our over-strained court system.

The APS program expansion will also set the stage for future projects that will result in further efficiencies and enhancements to the Town's APS programs and priorities. Below are the anticipated phases of the full APS program expansion:

- Phase 1: APS expansion to regulatory by-laws (non-parking matters, as outlined in this report)
- Phase 2: Introduction of license plate recognition software
- Phase 3: Automated Speed Enforcement

Discussion

As experienced with the Town's current APS program for parking offences, the expansion of the Town's APS program to include regulatory by-laws would allow for the opportunity to better manage disputes in a more timely and effective manner, while also encouraging compliance with municipal legislation.

Expanding the existing APS program has several benefits, which include:

- Improving service excellence.
- Enhancing staff efficiencies and effectiveness.
- Expedited and fair dispute process for customers.
- Easing the dispute resolution burden in the provincial court system.

In designing the Town's proposed non-parking APS program, Town enforcement staff have reviewed and spoken with enforcement staff from other municipalities about non-parking APS programs. These comparator programs have generally used administrative penalties to address minor matters that otherwise would have been issued charges under Part 1 of the Provincial Offences Act. While there will likely always be some matters that are best suited to bringing charges under the Provincial Offences Act, the Town of Milton's proposed non-parking APS program offers a program that is intended to provide a fair and effective approach for encouraging by-law compliance in both major and minor cases of non-compliance.

Current experience with the court system

Currently, when a Municipal Law Enforcement Officers initiates POA charges for contravention of municipal by-laws (other than parking offences), voluntary payment and trial disputes are managed through Halton Court Services. The Town shares, with the City of Burlington, one half-day of scheduled court time per month when judicial resources are available- roughly 1.5 hours of court time. This is down 50% from pre-Covid-19 pandemic levels, where the half-day of the Town's court time was not shared. During these dates, procedural issues are addressed, guilty pleas may be entered and short trials take place. Halton Court Services requires that longer trials receive at least one judicial pre-trial before scheduling a trial, which can take 3-4 months to schedule due to limited judicial resources. Similarly, any pre-trial motions can also take several months to schedule. As a result, while simple matters can generally be tried during the Town's ¼ day per month, longer matters can take 18 months or more, risking dismissal under 11b of the Charter (one's right to a fair and speedy trial).

In 2022, Halton Court Services reported that, given the ongoing impacts of the pandemic, the backlog in matters set for trial and lack of judicial resources delays are expected to continue into future years. Even in 2024, this remains a very real issue. For instance, as recently as March 1, 2024, an entire court day was cancelled due to lack of judicial resources, and multiple Town matters were postponed.

Discussion

The Town's proposed APS program for regulatory by-laws (non-parking matters) would relieve the pressure on the POA court and allow the Town to focus its limited court time on matters that must be heard in that venue.

Should the Town expand the APS program for non-parking matters, the POA court system is still available should the need arise to address the more serious offences. The POA court system may be deemed appropriate in some cases due to the following: POA maximum fines are significantly higher than the Town's proposed Administrative Penalties; additional enforcement powers of the Court may be required (such as prohibition orders or probation orders); or the stigma of conviction is needed. In addition, certain types of contraventions can only be dealt with through the POA system, such as Zoning By-Law matters or certain Building Code Act and Fire Protection and Prevention Act matters.

Key Features of the Expanded APS Program for Regulatory By-laws (Non-Parking Matters)

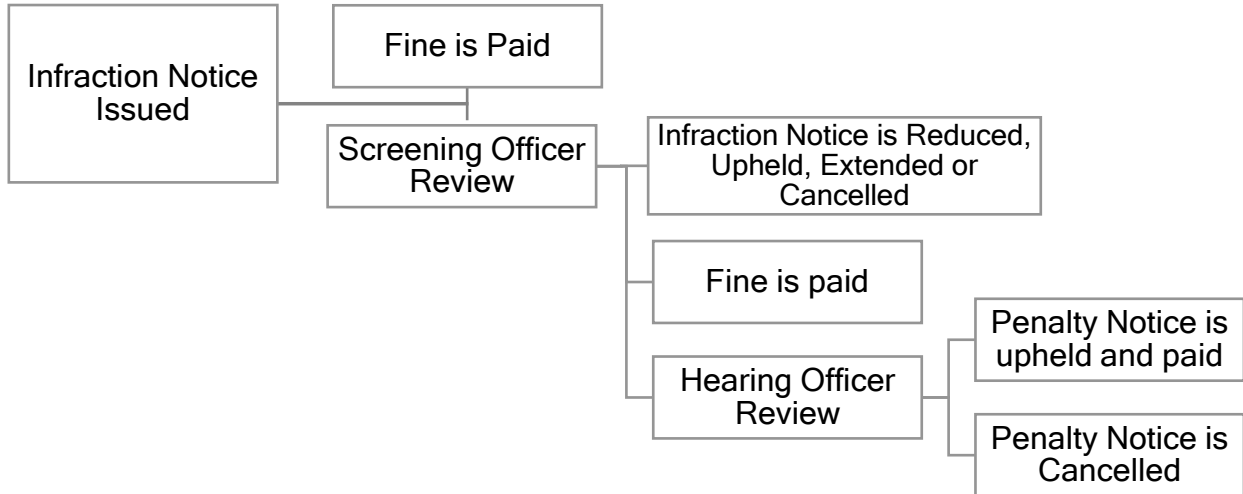
1. Process and Review by Screening or Hearing Officers

When a penalty infraction notice is issued by a Municipal Law Enforcement Officer in the APS program, a person can pay the penalty within 15 days or choose to dispute the penalty notice. If the dispute process is selected by the individual, then the individual can book a screening appointment to meet with a Screening Officer to have a screening review conducted. The Screening reviews can take place virtually for customer convenience and are scheduled online via the Town's webpage.

The Screening Officer has the authority to 1) reduce penalties, subject to a test that takes into account efforts at compliance and other relevant factors to assess whether a lesser penalty would be sufficient to encourage compliance, 2) provide extended time to pay a penalty or 3) cancel the penalty where the Screening Officer determines no contravention occurred. If a person is not satisfied with the decision of the Screening Officer, they have the option to request a Hearing with the Town-appointed Hearing Officer. A Hearing Officer will adjudicate matters and will make a final and binding decision about the penalty infraction notice.

The APS process is illustrated below:

Discussion



2. Penalties

Staff have conducted a jurisdictional scan within the Region of Halton and neighbouring municipalities. Following a review of these comparator municipalities, many municipalities have standard amounts for penalties that differ depending on by-law being enforced. It is Town staff's understanding that these municipalities generally use Administrative Penalties for lesser or minor contraventions where they would normally have issued a Part 1 certificate of offence and continue to issue Part 3 charges for more serious contraventions.

There is nothing in the Municipal Act that restricts Administrative Penalties to minor contraventions, and the Province itself uses administrative penalties for major contraventions. For example, under Environmental Protection Act Regulation 222/07, penalties can be up to \$100,000 per day, and can exceed this amount where the contravention resulted in monetary benefits to the contravener.

In staff's view, there is a real need to address both major and minor contraventions in the Town's proposed APS system for regulatory by-laws (non-parking matters), as the Town is experiencing increased enforcement pressures due in large part to serious contraveners who have financial incentives to prolong contravention as long as possible and are treating the delays in the POA system as licence to continue to operate illegally.

Considerable attention has been spent on developing a system of penalties that will provide appropriate incentives to promote compliance over a variety of violations that range in gravity. In developing this system, particular attention was paid to (a) the manner in which by-laws are enforced and the characteristics typical of less serious vs. more serious contraventions witnessed by Town enforcement staff.

Discussion

Historically, POA charges are a last resort for enforcement staff, with a first step generally being a written or verbal notice of non-compliance, and if practicable, direct engagement to further encourage compliance. Where these steps are unsuccessful or in the judgment of Town enforcement staff of little utility (such as in cases that require immediate action, cases where there has already been a history or non-compliance or where the nature of the contravention suggest that voluntary compliance is unlikely), enforcement staff may proceed to issue orders (depending on the by-law) or charges.

Typically, less serious contraventions are single events (such as a loud parties contravening noise by-laws) or ill-advised actions that are responsive to enforcement staff's efforts to encourage compliance (such as boulevard encumbrances). More serious contraventions tend to be ongoing in nature, unresponsive to efforts by enforcement staff to encourage voluntary compliance and unresponsive to orders. In Town enforcement staff's experience, there is a growing number of these contraventions, which take advantage of the financial incentives of non-compliance and the delays associated with POA enforcement. For instance, an illegal short-term rental, operating without a license, may financially benefit from continuing to operate as long as possible.

Based on their experience, Town staff have developed an APS system that (a) varies the penalty based on the type of contravention; (b) provides graduated penalties; (c) takes into account whether the contravention is ongoing or continuing and (d) offers opportunities for penalty reduction where efforts at compliance have been made. Key features include:

1. **Penalties Amounts:** penalties are set at levels Town enforcement staff believe are needed to encourage compliance:
 - a. on first contraventions range from \$200 - \$400 per day on most contraventions, with higher penalties (\$300-\$500 per day) for more serious types of violations such as contraventions of orders, operating without a license and similar contraventions.
 - b. penalties escalate on second and third (or more) contraventions, where Penalty Notices were previously issued for the contraventions (and not cancelled by a Screening or Hearing Officer).
 - c. penalties on third contraventions range from \$800 - \$2,000 per day for the most serious types of contraventions, such as contravening a site alteration order.
 - d. the graduated system of penalties reflects the need to increase penalties to promote compliance where prior penalties have not been sufficient to do so.

2. **Continuing Contraventions:** where the contravention continues or is ongoing (for instance operating without a licence or failing to comply with an order) the penalties apply for each day the contravention occurs or continues. This ensures that compliance continues to be incentivised and that a penalty is not treated as a mere

Discussion

licence fee for illegal activities. In the Town enforcement staff's experience continuing contraventions most often occur where there are strong financial incentives to operate illegally, such as operating an illegal dump site in return for "tipping fees", contrary to the Town's Site Alteration By-Law.

- 3. Penalty Reduction:** all penalties can be reduced by as much as 75% to the minimum penalties set out in each by-law, upon review by a Screening or Hearing Officer, where the Screening or Hearing Officer, determines based on a review of the relevant factors that a lesser penalty is sufficient to promote compliance. In making this assessment, a Screening or Hearing Officer is required to take into consideration whether compliance has been achieved or significant efforts toward compliance are being made, as well as any financial benefit received by the requestor as a result of non-compliance.

The ability to seek a fine reduction on review serves two important roles (a) it allows a Screening Officer or Hearing Officer to ensure the amount of the fine is appropriate, and (b) it creates yet another incentive promoting compliance.

New User Fees

In addition to existing user fees associated with the current APS program, new administrative fees are recommended to be established as follows for expansion of the APS program:

Fee	Description	Amount
Adjournment fee	A fee is levied during the hearing stage (when the hearing is taking place and the defendant requests an adjournment). If the hearings officer grants the adjournment, as there is sufficient reason to do so the defendant is notified and if agreed upon and the fee is applied and the adjudication is stayed until the mutually agreeable date	\$111.00
Service by registered mail	A fee is levied when a penalty notice is required to be serviced by registered mail	\$21.00
Service by standard mail	A fee is levied when a penalty notice is required to be serviced by standard mail	\$ 10.00
Corporate search (business)	A fee to provide cost recovery for the processing a corporate entity search when a business is found in violation of a by-law	\$143.00
Parcel Assessment Search (terraview)	A fee is levied when a parcel assessment search is required to issue a penalty notice.	\$134.00



Discussion

The above fees have been set to recover costs associated with administration procedures undertaken by Town staff, as part of the APS program. The rationale for the calculated fees has been validated through a market scan of similar fees of neighboring municipalities, where possible. Staff recommend that the administrative fees be approved through this report and added to the Town's User Fee By-law at the next available opportunity where they will be subject to annual inflationary increases to ensure the fees continue to recover the cost of the service provided. These fees will only be applicable following approval of the APS Expansion By-law. Other administrative fees associated with this program such as fees for late payment, nonsufficient funds and failing to appear are already included in the Town's User Fee By-law.

Staffing Resources

Additional staffing resources are required to support the administration of the APS program expansion. Staff are seeking approval for the following FTE positions:

Screening Officer: It is recommended that the part-time Screening Officer position be increased to a full-time position to support the regulatory program expansion and future opportunities for expansion, such as future phase of the APS program ie. Automated Speed Enforcement. The Town currently has one full-time Screening Officer that is working at full capacity conducting screening reviews for the parking program. An additional, part-time screening officer supports the remaining unscheduled parking infraction notice screening reviews. When compared with the previous year in 2022, scheduled screening review appointments have increased 18% in 2023. It is expected that this additional 0.5 FTE will be required to support additional screening appointments for regulator by-law contraventions.

Coordinator, Administrative Penalty System: It is recommended that one (1) full time equivalent (FTE) complement be introduced for an APS Coordinator, in order to move forward with implementation plans for the APS expansion program effective date. The Coordinator role provides APS parking and non-parking program support focusing on the review and authorization of infraction notices by certifying infraction notices that are sent through future, enhanced electronic processes. This position will later support future phases of the expanded APS program, such as Automated Speed Enforcement (ASE).

Financial Analysis

As shown in the table below, expanding the APS program to non-parking infractions (Phase 1 of the APS program expansion) is expected to result in a net cost to the Town of \$108,636 per year. Moving the dispute process under the Town's APS program will result in increased staffing costs, largely related to the Coordinator position required to support both the APS expansion program and future APS projects. The increased costs will be partially offset by reduced legal expenses and increased revenues associated with increasing penalties for certain infractions.

Discussion

	POA	APS	Variance
Staffing Costs			
<i>Coordinator 1 FTE</i>		112,890	
<i>Screening Officer 0.5 FTE</i>		45,633	
Hearing Officer		2,128	
Legal expenses re: prosecution	37,392	-	
Visa/MC Charges		853	
Total Expenses	37,392	161,627	124,235
Incremental Penalty Fees		12,000	
Administrative Fees		3,476	
Total Revenues	-	15,599	15,599
Net Cost	\$ (37,392)	\$ (146,028)	\$ (108,636)

Although not reflected in the figures above as there is no direct financial impact, shifting the process from POA to APS will result in approximately 170 hours of MLEO time annually that will be able to be reallocated towards enforcement activity as these staff will no longer be required to attend court proceedings.

APS Program Expansion - Establishing By-law, Fees and Policies

In accordance with Ontario Regulation 333/07 and section and section 434.1 of the Municipal Act a municipality must pass a by-law to establish an APS program. A draft by-law for the establishment of APS for non-parking offences is included as Schedule A to this report. The draft by-law includes provisions related to penalties, notice, financial management, screening, hearings and other general regulations. Following consultation, staff will bring forward the final by-law for Council consideration.

Ontario Regulation 333/07 requires a municipality implementing an establishing any parking Administrative Penalty System (APS) to establish:

- policies and procedures to prevent political interference in the administration of the system;
- guidelines to define what constitutes a conflict of interest in relation to the administration of the system, to prevent such conflicts of interest and to redress such conflicts should they occur;
- policies and procedures regarding financial management and reporting;
- Procedures for the filing and processing of complaints made by the public with respect to the administration of the system.

Ontario Regulation 333/07 does not specifically apply to APS non-parking programs. However, to support program consistency, staff have updated the existing APS policies to apply to the expanded APS program. The updated policies have been included in

Discussion

Schedules B to G of this report for consideration. Following the adoption of these updated policies, staff will proceed with implementing administrative and financial protocols, screening and hearing procedures, software changes, communication and public education tools in preparation for the APS program expansion.

Future phases of the APS Program Expansion

License plate recognition software (Phase 2):

The APS expansion will allow the Town to proceed with the introduction of license plate recognition software. The overall goal of this improvement would be to automate, improve and enhance the ticket issuance process through the implementation of an automated plate reading software technology. The desired outcome would be increased efficiency and effectiveness of the process and a reduction of manual efforts within the process. Success of this initiative would include a re-allocation of resources from manual input to value-add services, cost avoidance as the Town continues to grow, and greater transparency within the ticket issuance process. Staff will begin implementation (including testing) in Q2 of 2024 with full implementation expected for Q3 of 2024.

Automated Speed Enforcement (ASE) (Phase 3):

The APS expansion will establish the framework needed to adjudicate a future Automated Speed Enforcement (ASE) program. ASE is a tool that uses technology in an effort to alter driver's behavior by enforcing traffic laws while promoting road safety.

This camera-based, ASE enforcement program has the potential to improve road safety outcomes by ensuring high-risk driving behaviour is consistently monitored by cameras, which helps keep all users safe on the roads. An APS program is required for the Town to implement ASE enforcement in future.

The ASE system captures an image of a vehicle exceeding the speed limit, the image is sent to a Processing Centre to be reviewed by a Provincial Offences Officer. During the review, the Officer will ensure all the evidence and data captured confirms there is a violation and a penalty order is created. The penalty order, which contains a digitized copy of the image and an enlargement of the license plate image, is mailed to the vehicles registered owner. Once the offender has received the penalty order, they will have an opportunity to dispute the ticket within 30 days from the date of issuance utilizing the Town Screening and Hearing Officer review process. On conviction, the ASE penalty would be considered a debt owed to the Town, where no demerit points are applied to the driver, however, a victim surcharge is applied based on the penalty amount, which is then remitted back to the Province.

Staff continue to monitor and develop an implementation plan for an ASE program and will report to Council in future.



Discussion

POA Charges Still Required for Planning Act and some other matters

Certain types of contraventions can only be dealt with through the POA system, such as Zoning By-Law matters or certain Building Code Act and Fire Protection and Prevention Act matters.

The POA court system is still available should the need arise for other matters as well should the need arise, whether because POA maximum fines are significantly higher than the Town's proposed Administrative Penalties; because the additional enforcement powers of the Court are required (such as prohibition orders or probation orders); or because the stigma of conviction is needed.

Financial Impact

The extent of the financial impact in 2024 will be subject to the timing of recruitment of the new roles, as well as the extent of revenue collected. The net cost for 2024 is currently estimated to be \$94,102. Should Council approve this program to move forward, the net financial impact will be funded from the Tax Rate Stabilization Reserve in 2024 so that the current year operating budget is unaffected. As noted in the 2024 Budget process, the Tax Rate Stabilization Reserve is expected to end 2024 with a balance of \$6.1 million (or approximately 26% below the target balance).

The net financial impact of the program, currently estimated at \$108,636 per year, will then be considered as part of the 2025 Budget process and will represent an additional future pressure on the property tax rate of approximately 0.1%. The forecasted total pressure for 2025, as forecasted through the 2024 budget process, currently equals 12.36%.

The capital costs of the License Plate Recognition program are provided for in capital project C24012323 - Mobile Parking Enforcement which has a total approved capital budget of \$202,921. The implementation of License Plate Recognition will result in new operating costs for the Town associated with the software service agreement. The expected annual operating cost will be approximately \$54,848, which will be pro-rated in 2024 based on the implementation date of the program. Although the annual operating costs are approximately \$30,000 greater than what was incorporated into the 2024 budget, it is anticipated that they can be managed within the 2024 budget through a reallocation of IT spending and an expected reduction in the contractual cost of issuing tickets as this process will be made more efficient under this program.

The full financial impacts associated with Automated Speed Enforcement (ASE) will continue to be evaluated and reported to Council in a separate report prior to the introduction of this program.



Respectfully submitted,

Troy McHarg
Commissioner, Corporate Services

For questions, please contact: Mary Beth Mitchell

Phone: Ext. 2133

Attachments

- Schedule A - Draft Administrative Penalty System (APS) Non- Parking by-law
- Schedule B - Draft Complaint Policy for APS Program
- Schedule C - Draft Conflict of Interest Policy for APS Program
- Schedule D - Draft Extension of Time to Pay for APS Program
- Schedule E - Draft Extension of Time to Review for APS Program
- Schedule F - Draft Interference Policy for APS Program
- Schedule G - Draft Refund Policy for APS Program

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

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

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NUMBER NO. XXX-2024

A BY-LAW TO ESTABLISH AN ADMINISTRATIVE MONETARY PENALTIES SYSTEM RESPECTING NON- PARKING VIOLATIONS

WHEREAS section 391 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (“*Municipal Act*”) provides that a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it;

WHEREAS subsection 434.1(1) of the *Municipal Act* provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that a person has failed to comply with a by-law of the municipality passed under the *Municipal Act*;

WHEREAS subsection 434.1(2) of the *Municipal Act* provides that the purpose of a system of administrative penalties established by a municipality shall be to assist the municipality in promoting compliance with its by-laws;

WHEREAS subsection 434.1(3) of the *Municipal Act* provides that the amount of an administrative penalty established by a municipality shall not be punitive in nature and shall not exceed the amount reasonably required to promote compliance with a by-law of the municipality;

WHEREAS Council is satisfied that the system of administrative penalties provided for herein, are not punitive in nature and are in amounts reasonably required to promote compliance with a by-law of the Town;

WHEREAS subsection 434.2 of the *Municipal Act* provides that an administrative penalty imposed by a municipality on a person constitutes a debt of the person to the municipality and may be added to the tax roll of a property located within the Town if not paid within 15 days of the due date;

WHEREAS the *Building Code Act 1992*, S.O. 1992, c. 23 provides that a municipality may require a person to pay an administrative penalty for non-compliance with a property standards by-law or order under that act;

WHEREAS the *Statutory Powers and Procedure Act*, R.S.O. 1990, c. S.22, as amended, applies to all hearings held under this By-law; and

WHEREAS to promote compliance with Town by-laws the Town wishes to establish a system of administrative penalties, including penalties for continuing contraventions and escalating penalties for repeat contraventions;

COUNCIL ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purposes of this By-law, the following definitions shall apply:

“Administrative Penalty” means an administrative monetary penalty as set out in the Schedules to this By-law for contravention of a Designated By-law, which may be amended from time to time with the approval of Council;

“Administrative Fee” means any fee specified in this By-law and listed in the Town’s User Fee By-law, which may be amended from time to time with the approval of Council;

“Adjournment” means to temporally end a Hearing review, where no decision will be reached until the Hearing review resumes and not for a period no longer than 45 days;

“Appear for Screening or Hearing” means:

- (a) in the case of a telephone, videoconference or in person screening or hearing, failure to appear by telephone, videoconference or in person as the case may be within 10 minutes of the start telephone, videoconference or in person screening or hearing; or
- (b) in the case of a screening or hearing in writing, failure to respond in writing to a request for information, documents or submissions by the Screening or Hearing Officer on the date set by the Screening or Hearing Officer for responding.

“Business Day” means a day from Monday to Friday, other than a holiday as defined in section 87 of the *Legislation Act, 2006*, S.O. 2006, c. 21, Schedule F, as amended from time to time;

“By-law” means this by-law and any schedule to this by-law as they may from time to time be amended;

“Certified Document Fee” means an Administration Fee levied for obtaining records of the Ontario Ministry of Transportation, Land registry Office or Service Ontario for the purpose of administering this by-law

“Council” means the Council of the Town of Milton;

“Continues” or **“Continued”** with respect to a contravention, means where a requirement or provision of this By-Law is not complied with for more than one day, and without limiting the generality of the forgoing:

- (a) in the case of an order, direction or notice that is required to be complied with under the Designated By-Law, a contravention continues or until compliance is achieved; or
- (b) in the case of a permit, licence or authorisation, required under a Designated By-Law, a contravention continues until the activity, business or enterprise occurring without a permit, licence or authorisation permanently ceases.

“Designated By-law” means a by-law that is designated by the Town as a by-law to which this By-law applies and, if only a part of a by-law is designated, includes only the designated part of the by-law;

“Director” means the Town Clerk, or a designate of the Town Clerk;

“Hearing Decision” means a decision made by a Hearing Officer;

“Hearing Fail to Appear Fee” means an Administrative Fee in respect of a person’s failure to appear at the time and place scheduled for a review before a Hearing Officer;

“Hearing Officer” means each person appointed from time to time to perform the functions of a Hearing Officer pursuant to this By-law;

“Officer” means any person authorized by the Town of Milton to enforce a Designated By-Law.

“Penalty Notice” means a notice issued pursuant to section 4;

“Penalty Notice Date” means the date specified on the Penalty Notice;

“Penalty Notice Number” means the reference number specified on the Penalty Notice that is unique to that Penalty Notice;

“Person” includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

“Requestor” means the Person requesting a review of an Administrative Penalty or a Screening Decision.

“Screening Decision” means a decision made by a Screening Officer;

“Screening Fail to Appear Fee” means an Administrative Fee levied in respect of a person’s failure to appear at the time and place scheduled for a review by a Screening Officer;

“Screening Officer” means each person designated to perform the functions of a Screening Officer pursuant to this By-law;

“Town” means The Corporation of the Town of Milton: and

“User Fee By-Law” means the Town by-law or by-laws setting out fees for use of Town services and other matters, as amended.

2. INTERPRETATION

2.1 This By-law and all Designated By-Laws are remedial in nature and shall be given a broad and purposeful interpretation and the words of each By-law shall be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of each By-Law, the object of each By-Law, and the intention of Council.

2.2 The intent of this By-Law and the Administrative Penalty provisions in all Designated By-Laws is to promote compliance with Town by-laws.

3. APPLICATION, AMENDMENTS, SCHEDULES AND SEVERABILITY

3.1. The following are Designated By-Laws:

- (a) Adult Entrainment By-law No. 54-2003
- (b) Adult Videotape Licensing By-law No. 53-2003
- (c) Animal Control By-law No. 90-2004
- (d) Anti-chasing and Tow Truck Licensing By-law No. 34-2006
- (e) Body Rub Parlor Licensing By-law No. 37-2003
- (f) Business Licensing By-law No. 024-2018
- (g) House Numbering By-law No. 26-2010
- (h) Community Standards By-law No. 042-2020
- (i) Election Sign By-law No. 011-2018
- (j) Firearms By-law No. 062-2016
- (k) Fireworks By-law 037-2009

- (l) Noise By-law No. 133-2012
- (m) Parks By-law No. 072-2006
- (n) Portable Sign By-law No 87-2009
- (o) Property Standards By-law No. 131-2012
- (p) Road Occupancy, Fouling, and Entrance Permit Bylaw 035-2020
- (q) Short Term Rental By-law No. 062-2022
- (r) Signage By-law No. 120-2017
- (s) Site Alteration By-Law No. 094-2022
- (t) Stormwater Infrastructure By-law No. 095-2022
- (u) Snow Removal By-law No. 106-2019
- (v) Swimming Pool Fences By-law No. 77-2010
- (w) Farm Animals By-Law No. 42-87
- (x) Vehicle For Hire By-Law No. 050-2023

3.2. If a person is issued a Penalty Notice, the person shall not be charged with an offence in respect of the same contravention. For clarity, an Officer may charge a person for a different contravention of a Designated By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the Penalty Notice. Likewise, a person may be issued a Penalty Notice for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the Penalty Notices that have been issued.

3.3. Other than as set out in section 3.2 of this by-law, the imposition of an administrative penalty does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

4. PENALTY NOTICE

4.1. An Officer who is satisfied that a Person has contravened any provision of a Designated By-law, including without limitation, any requirement or condition of a licence, permit, order or direction, may issue a Penalty Notice to that Person in respect of each contravention.

4.2. Each Person shall, when issued a Penalty Notice, be liable to pay to the Town an Administrative Penalty in the amount specified in the Designated By-law.

4.3. The Penalty Notice issued to the person shall include the following information:

- (a) the name of the Person(s);
- (b) the date of the Penalty Notice;
- (c) the Penalty Notice Number;
- (d) the identity and signature of the Issuing Officer;
- (e) particulars of the contravention;
- (f) the amount of the Administrative Penalty;
- (g) information respecting the process by which the person may exercise the Person's right to request a review of the Administrative Penalty; and
- (h) a statement advising that an Administrative Penalty will, unless cancelled or reduced pursuant to the review process, constitute a debt of the Person to the Town.

4.4. Where an Officer becomes aware of an error in a Penalty Notice before the review by a Screening Officer, the Officer may amend or withdraw and re-issue the Penalty Notice.

PAYMENT OF AN ADMINISTRATIVE PENALTY

4.5. No Officer may accept payment of an Administrative Penalty.

4.6. Every Person who has been issued a Penalty Notice shall:

- (a) pay the Administrative Penalty in the Penalty Notice within 15 days after the date the Penalty Notice is deemed served; or

- (b) request that the Administrative Penalty be reviewed by a Screening Officer in accordance with Section 8 of this By-law.
- 4.7. Payment of an Administrative Penalty or an administrative fee can be made through a Town approved payment system. Partial payments or payment plans will not be accepted.
- 4.8. Payment of an Administrative Penalty must be received by the due date and will not be credited until received by the Town.
- 4.9. Once an Administrative Penalty has been paid, it shall not be subject to a review by a Screening Officer or a Hearing Officer or to any further review.

6. NON-PAYMENT OF AN ADMINISTRATIVE PENALTY

- 6.1. Where a request for review has not been made in accordance with subsection 8.1, and the Administrative Penalty is not paid within 15 days of the date of service of the Penalty Notice:
- (a) the Administrative Penalty shall be deemed to be affirmed, final and not subject to further review except as provided in section 9;
 - (b) notwithstanding subsection 9.1 of this By-law, the Person shall pay a late payment administrative fee as set out in the Town's User Fee By-law; and
 - (c) a Notice of Penalty and Due Date shall be served to the Person to whom the Penalty Notice was issued.

7. SERVICE OF NOTICE OR DOCUMENTS

- 7.1. In addition to any method of service provided in a Designated By-Law, a Penalty Notice, Order or any other notice or document under this by-law or a Designated by-law may be served by any of the following means:
- (a) delivered personally;
 - (b) emailed to the last known email address of the person to whom the order is directed;
 - (c) deposited in the mailbox or mail slot of the last known address of the person to whom the order is directed;
 - (d) sent by regular or registered mail to the last known address of the person to whom the order is directed; or

- (e) in the case of a Penalty Notice in respect of non-compliance with a Designated By-Law related to a property, posted on the property.

7.2. Where service is effected by:

- (a) regular mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing;
- (b) registered mail, it shall be deemed to be made on the second (2nd) day after the date of mailing;
- (c) any other means, it shall be deemed effective on the day the document served was delivered, posted, emailed or deposited as the case may be; or
- (d) by multiple means, it shall be deemed effective on the earliest applicable date set out in this subsection.

8. REVIEW OF AN ADMINISTRATIVE PENALTY BY A SCREENING OFFICER

8.1. A Person who is subject to an Administrative Penalty may request in writing that an Administrative Penalty be reviewed by a Screening Officer within 15 days of service of the Penalty Notice. A request for review shall include the Penalty Notice number and the Person's contact information, and shall be made in the format provided by the Town for that purpose.

8.2. Subject to section 9, if a review of the Administrative Penalty by a Screening Officer is not requested within the time set out in subsection 8.1, the Administrative Penalty shall be deemed to be affirmed, final and not subject to further review.

8.3. A Requestor shall be notified by email:

- (a) that their request for a review has been received;
- (b) of the date and time of the review;
- (c) a timeline for the provision of a short summary of the reasons for the request together with any relevant documents, including without restriction relevant photographs or videos, and
- (d) the format of the review, as determined by the Screening Officer, including but not limited to in-person, over the telephone or remotely by videoconference.

8.4. Where requests for review have been received:

- (a) regarding multiple Penalty Notices issued to the same Person; or
- (b) multiple Penalty Notices have been issued to multiple Persons regarding the same or related contraventions;

the Screening Officer may hear the review requests together, if it is reasonably practical to do so, and would not result in significant unfairness. Any objections to hearing Penalty Notices together may be made to and dealt with by the Screening Officer at the outset of the review.

8.5. The Screening Officer may request such information, documents or materials from the Requestor or the Town as the Screening Officer considers relevant to the request and may set timelines for the production of information, documents or materials.

8.6. The Screening Officer may amend the Penalty Notice as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether an amendment should be made, the Screening Officer shall consider whether the Requestor has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.

9. EXTENSION OF TIME TO REQUEST A SCREENING REVIEW

9.1. A Person may request in writing an extension by a Screening Officer of the time set out in subsection 8.1. A request for an extension of time to review an Administrative Penalty shall be made in the format provided for by the Town for that purpose and shall include the Penalty Notice number and the Person's contact information, together with:

- (a) reasons for the request of an extension of time and any relevant documents; and
- (b) reasons for the request for review.

9.2. The Screening Officer may request such information, documents or materials from the Requestor as the Screening Officer considers relevant to the request and may set timelines for the production of information, documents or materials.

9.3. A Screening Officer shall consider the request for an extension and make a determination as to whether to grant or deny the request.

9.4. The Screening Officer may only grant the request to an extension of time to request a review of the Administrative Penalty where the Screening Officer is satisfied:

- (a) the Requestor demonstrates extenuating circumstances for failing to request a review; and
- (b) acted as expeditiously as reasonably possible to request a review, given the extenuating circumstances.

9.5. Where an extension of time is not granted by the Screening Officer, the Administrative Penalty is deemed to be affirmed.

10. SCREENING DECISION

10.1. On a review of the Administrative Penalty, the Screening Officer:

- (a) may cancel, reduce or extend the time for payment of the Administrative Penalty, including any late payment of Administrative Fees, if the Requestor demonstrates on a balance of probability that the applicable test for cancellation, reduction or extension set out in subsections 10.4, 10.5, 10.8 or 10.9 is met; or
- (b) if the Requestor fails to demonstrate a balance of probability that the applicable test is met, shall affirm the Administrative Penalty.

10.2. Where a Screening Officer reduces an Administrative Penalty under subsection 10.5. the Screening Officer:

- (a) shall not reduce the Administrative Penalty below the minimum penalty set out in the Designated By-law. Where the contravention occurred on or continued for more than one day, the minimum penalty shall be calculated by multiplying the number of days by the minimum set out in the Designated By-Law; and
- (b) may make the reduction conditional on the Person correcting any non-compliance with the applicable Designated By-Law at issue by a specified date, and for the purpose of determining whether compliance has been achieved, may set an additional review date.

10.3. Subsections 8.3, 8.4, 8.5 and 14.1 apply to the additional review date provided for under subsection 10.2(b) with necessary modifications.

10.4. **Cancellation:** the Administrative Penalty may only be cancelled where:

- (a) the Requestor did not contravene the provision of the Designated By-law, or the requirement or condition of a licence, permit, order or direction set out in the Penalty Notice; or
- (b) the Officer otherwise failed to meet the requirements for issuing a Penalty Notice in a manner that could not be cured pursuant to subsection 8.6 of this By-law.

10.5. **Reduction:** other than a reduction under subsection 10.8, a reduction may only be granted where a lesser Administrative Penalty would be sufficient to promote compliance.

10.6. In determining whether a reduction should be granted, and if granted the amount of the reduction, the Screening Officer shall have regard to the relevant circumstances and the following factors:

- (a) whether, by the date of the Screening Review, the Requestor
 - (1) has complied with the Designated By-Law; or
 - (2) has made significant progress toward compliance and has provided a detailed plan with clear steps and reasonable timelines to achieve compliance;
- (b) whether Requestor's history and actions indicate a lesser Administrative Penalty will provide sufficient incentive for compliance, including:
 - (1) any prior history of non-compliance with the applicable Designated By-law or other by-laws of the Town; and
 - (2) how the Requestor responded to any efforts by the Town to promote compliance were made (such as warnings, notices, directions, orders etc.);
- (c) whether the lesser Administrative Penalty will be sufficient to counteract any incentives the Requestor may have for continued non-compliance, such as earning revenues or avoiding the costs associated with compliance; and
- (d) evidence of impecuniosity resulting in undue financial hardship, where applicable.

10.7. With respect to the factors in subsections 10.6 (c) and where applicable 10.6 (d), where the Requestor has failed to provide sufficient evidence for the Screening Officer to evaluate these factors, the Screening Officer may draw a negative inference.

10.8. **Reduction (for Previously Cancelled Penalty):** with respect to a graduated Administrative Penalty, where the prior Penalty Notice had been cancelled and as a consequence a lower Administrative Penalty is payable under the Administrative Penalty provisions of the Designated By-law, the Administrative Penalty may be reduced to the lower number provided for in the Designated By-Law.

10.9. **Extension:** an extension of the time for payment of the Administrative Penalty, including any Administrative Fees, may only be granted where an extension of time is necessary to prevent undue financial hardship.

10.10. The Screening Officer may issue a decision to the Requestor orally at the time of the review which shall be confirmed thereafter in writing to be delivered, by email. If applicable, the decision shall include the amount of the Administrative Penalty, any administrative fees to be paid and the final due date for payment.

14. FAIL TO APPEAR FOR SCREENING REVIEW

14.1. Where the Person requesting a review fails to Appear for the Screening Review of an Administrative Penalty by the Screening Officer:

- (a) the person shall be deemed to have abandoned the review;
- (b) the Administrative Penalty and any administrative is affirmed, final and not subject to further review; and
- (c) the person shall pay to the Town the prescribed Screening Fail to Appear Fee as identified in the Town's User Fee By-law.

15. REVIEW OF SCREENING DECISION BY HEARING OFFICER

15.1. A Person who has received a Screening Decision may request in writing a review of the Screening Decision by a Hearing Officer within 15 days after the Screening Decision is deemed to be served. The request shall be made in the format provided for by the Town for that purpose.

15.2. Subject to section 16, where no request for a review of the Screening Decision by a Hearing Officer is received within 15 days after the date the Screening Decision is deemed to be served, the Administrative Penalty is affirmed, final and not subject to further review.

15.3. The Requestor shall be notified:

- (a) that their request for a review has been received;

- (b) of the date and time of the review;
 - (c) a timeline for the provision of a short summary of the reasons for the request together with any relevant documents, including without restriction relevant photographs or videos not previously provided, and
 - (d) the format of the hearing, as determined by the Hearing Officer which may include in-person, over the telephone, or remotely by videoconference.
- 15.4. The Hearing Officer may request such information, documents or materials from the Requestor or the Town as the Hearing Officer considers relevant to the request and may set timelines for the production of information, documents or materials.
- 15.5. The Hearing Officer may amend the Penalty Notice as may be necessary if it appears that it fails to state or states defectively anything that is required to be stated. In considering whether or not an amendment should be made, the Hearing Officer shall consider whether the Requestor has been misled or prejudiced by the error or omission and whether the proposed amendment can be made without injustice being done.

16. EXTENSIONS OF TIME TO REQUEST A HEARING REVIEW

- 16.1. A Person may request in writing an extension by a Hearing Officer of the time set out in subsection 15.1. A request for an extension of time to review a Screening Decision shall be made in the format provided by the Town for that purpose and shall include the Penalty Notice number and the Person's contact information, together with:
- (a) reasons for the request of an extension of time and any relevant documents; and
 - (b) reasons for the request for review and any relevant documents.
- 16.2. The Hearing Officer may request such information, documents or materials from the Requestor as the Hearing Officer considers relevant to the request and may set timelines for the production of information, documents or materials.
- 16.3. A Hearing Officer shall consider the request for an extension and make a determination as to whether to grant or deny the request.

16.4. The Hearing Officer may only grant the request to an extension of time to request a review of the Screening Decision where the Hearing Officer is satisfied:

- (a) the Requestor demonstrates extenuating circumstances for failing to request a review; and
- (b) acted as expeditiously as reasonably possible to request a review, given the extenuating circumstances.

16.5. Where an extension of time is not granted by the Screening Officer, the Administrative Penalty is deemed to be affirmed.

17. DECISION OF THE HEARING OFFICER

17.1. On a review of a Screening Decision by a Hearing Officer, the Hearing Officer is not bound by, and need not have regard for, any decision of the Screening Officer with respect to cancellation, reduction, or extension.

17.2. On a review of a Screening Decision, the Hearing Officer:

- (a) may cancel, reduce or extend the time for payment of the Administrative Penalty, including any late payment of Administrative Fees, if the Requestor demonstrates on a balance of probability that the applicable test for cancellation, reduction or extension set out in subsections 17.5, 17.6, 17.9 or 17.10 is met; or
- (b) if the Requestor fails to demonstrate a balance of probability that the applicable test is met, shall affirm the Administrative Penalty.

17.3. Where a Hearing Officer reduces an Administrative Penalty under subsection 17.6. the Hearing Officer:

- (a) shall not reduce the Administrative Penalty below the minimum penalty set out in the Designated By-law. Where the contravention occurred on or continued for more than one day, the minimum penalty shall be calculated by multiplying the number of days by the minimum set out in the Designated By-Law; and
- (b) may make the reduction conditional on the Person correcting any non-compliance with the applicable Designated By-Law at issue by a specified date, and for the purpose of determining whether compliance has been achieved, may set an additional review date.

17.4. Subsections 15.3, 15.4 and 18.1 apply to the additional review date provided for under subsection 17.4(b) with necessary modifications.

17.5. **Cancellation:** the Administrative Penalty may only be cancelled where:

- (a) the Requestor did not contravene the provision of the Designated By-law, or the requirement or condition of a licence, permit, order or direction set out in the Penalty Notice; or
- (b) the Officer otherwise failed to meet the requirements for issuing a Penalty Notice in a manner that could not be cured pursuant to subsection 15.5 of this By-law.

17.6. **Reduction:** other than a reduction under subsection 17.9, a reduction may only be granted where a lesser Administrative Penalty would be sufficient to promote compliance,

17.7. In determining whether a reduction should be granted, and if granted the amount of the reduction, the Hearing Officer shall have regard to the relevant circumstances and the following factors:

- (a) whether, by the date of the Screening Review, the Requestor
 - (1) has complied with the Designated By-Law; or
 - (2) has made significant progress toward compliance and has provided a detailed plan with clear steps and reasonable timelines to achieve compliance;
- (b) whether Requestor's history and actions indicate a lesser Administrative Penalty will provide sufficient incentive for compliance, including:
 - (1) any prior history of non-compliance with the applicable Designated By-law or other by-laws of the Town; and
 - (2) how the Requestor responded to any efforts by the Town to promote compliance were made (such as warnings, notices, directions, orders etc.);
- (c) whether the a lesser Administrative Penalty will be sufficient to counteract any incentives the Requestor may have for continued non-compliance, such as earning revenues or avoiding the costs associated with compliance; and
- (d) evidence of undue financial hardship, where applicable.

17.8. With respect to the factors in subsections 17.6 (c) and where applicable 17.6(d), where the Requestor has failed to provide sufficient

evidence for the Screening Officer to evaluate these factors, the Screening Officer may draw a negative inference.

17.9. **Reduction (for Previously Cancelled Penalty):** with respect to a graduated Administrative Penalty, where the prior Penalty Notice had been cancelled and as a consequence a lower Administrative Penalty is payable under the Administrative Penalty provisions of the Designated By-law, the Administrative Penalty may be reduced to the lower number provided for in the Designated By-Law.

17.10. **Extension:** an extension of the time for payment of the Administrative Penalty, including any Administrative Fees, may only be granted where an extension of time is necessary to prevent undue financial hardship.

17.11. The Screening Officer may issue a decision to the Requestor orally at the time of the review which shall be confirmed thereafter in writing to be delivered by mail, or email using the contact information provided by the Requestor. If applicable, the decision shall include the amount of the Administrative Penalty, any administrative fees to be paid and the final due date for payment.

17.12. The decision of the Hearing Officer is final and not subject to further review.

18. FAIL TO APPEAR FOR A HEARING

18.1. Where the Person requesting a Hearing fails to Appear for the Hearing:

- (a) the person shall be deemed to have abandoned the review;
- (b) the Administrative Penalty and any administrative is affirmed, final and not subject to further review; and
- (c) the person shall pay to the Town the prescribed Screening Fail to Appear Fee as identified in the Town's User Fee By-law.

19. JURISDICTION OF SCREENING AND HEARING OFFICER

19.1. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or bylaw or the constitutional applicability or operability of any statute, regulation or by-law.

20. GENERAL ADMINISTRATION

- 20.1. The Director may:
- (a) appoint such Screening Officers and Hearing Officers for reviewing contraventions in accordance with this By-law as the Director considers appropriate;
 - (b) designate locations within the Town for conducting reviews and hearings under this By-law;
 - (c) prescribe forms, notices, applications and documents to assist in the orderly operation of the administrative penalty system established by this By-law, including screenings and hearings or requests for same; and
 - (d) establish rules, practices, policies or guidelines for the orderly operation of the administrative penalty system established by this By-law, including screenings and hearings or requests for same.
- 20.2. An Administrative Penalty that is deemed to be affirmed is due and payable and constitutes a debt to the Town.
- 20.3. If an Administrative Penalty is not paid within 15 days after the day that it becomes due and payable, the treasurer of the Town may add the administrative penalty together with any applicable administrative fees to the tax roll for any property in the Town for which all of the owners are responsible for paying the Administrative Penalty, and collect it in the same manner as municipal taxes.
- 20.4. Where an Administrative Penalty and any applicable administrative fees are past due and have not been paid:
- (a) renewal or issuance of any licence, business licence or permit under a Town by-law will be denied until payment is received by the Town; and
 - (b) the Town may suspend or revoke any issued licence, business licence or permit until such time as the Administrative Penalty and any applicable administrative fees have been paid in full.
- 20.5. Where an Administrative Penalty is cancelled by a Screening Officer or Hearing Officer, any administrative fees are also cancelled.

21. TRANSITION AND LIMITATION

- 21.1. Subject to subsection 3.2, a Penalty Notice may be issued for a contravention of a Designated By-Law that occurred before the coming into force of this By-Law.
- 21.2. An Officer shall not issue a Penalty Notice in respect of a contravention later than one year after the day on which the evidence of the contravention first came to the attention of an Officer of the Town, or in case of a contravention that occurred or continued for more than one day, the day on which the evidence of the last day of contravention first came to the attention of an Officer or the Town.

22. SHORT TITLE

The short title of this By-law is the “Administrative Penalties By-law”.

23. CONSEQUENTIAL AMENDMENTS

- (a) Adult Entrainment By-law No. 54-2003 is hereby amended by Schedule A of this By-law.
- (b) Adult Videotape Licensing By-law No. 53-2003 is hereby amended by Schedule B of this By-law.
- (c) Animal Control By-law No. 90-2004 is hereby amended by Schedule C of this By-law.
- (d) Anti-chasing and Tow Truck Licensing By-law No. 34-2006 is hereby amended by Schedule D of this By-law.
- (e) Body Rub Parlor Licensing By-law No. 37-2003 is hereby amended by Schedule E of this By-law.
- (f) Business License By-law No. 024-2018 is hereby amended by Schedule F of this By-law.
- (g) House Numbering By-law No. 26-2010 is hereby amended by Schedule G of this By-law.
- (h) Community Standards By-law No. 042-2020 is hereby amended by Schedule H of this By-law.
- (i) Election Sign By-law No. 011-2018 is hereby amended by Schedule I of this By-law.

- (j) Firearms By-law No. 062-2016 is hereby amended by Schedule J of this By-law.
- (k) Fireworks By-law 037-2009 is hereby amended by Schedule K of this By-law.
- (l) Noise By-law No. 133-2012 is hereby amended by Schedule L of this By-law.
- (m) Parks By-law No. 072-2006 is hereby amended by Schedule M of this By-law.
- (n) Portable Sign By-law No 87-2009 is hereby amended by Schedule N of this By-law.
- (o) Property Standards By-law No. 131-2012 is hereby amended by Schedule O of this By-law.
- (p) Road Occupancy, Fouling, and Entrance By-law No. 035-2020 is hereby amended by Schedule P of this By-law.
- (q) Short Term Rental By-law No. 062-2022 is hereby amended by Schedule Q of this By-law.
- (r) Signage By-law No. 120-2017 is hereby amended by Schedule R of this By-law.
- (s) Site Alteration By-Law No. 094-2022 is hereby amended by Schedule S of this By-law.
- (t) Stormwater Infrastructure By-law No. 095-2022 is hereby amended by Schedule T of this By-law.
- (u) Snow Removal By-law No. 106-2019 is hereby amended by Schedule U of this By-law.
- (v) Swimming Pool Fences By-law No. 77-2010 is hereby amended by Schedule V of this By-law.
- (w) Taxi and Limousine Licensing By-law No. 94-2004 is hereby amended by Schedule W of this By-law.
- (x) Farm Animals By-Law No. 42-87 is hereby amended by Schedule X of this By-law.

- (y) Vehicle For Hire By-Law No. 050-2023 is hereby amended by Schedule & of this By-law.

24. BY-LAW IN FORCE

24.1. If a court of competent jurisdiction should determine that a provision or part of a provision of this by-law is reasonably capable an interpretation which would render that provision to be unenforceable, invalid or void and an alternative interpretation would not have one of those consequences, then that provision shall be interpreted or construed so far as is possible, to be limited and read down such that its meaning is that which does not render it unenforceable, invalid or void. In the event a court of competent jurisdiction should declare any provision or part of a provision to be invalid, the remainder of this By-law shall continue in force.

24.2. This By-law shall come into full force and effect on **XXXXXX**

PASSED IN OPEN COUNCIL ON **XXXXX.**

_____ Mayor

Gordon A. Krantz

_____ Town Clerk

Schedule A of By-law No. x-2024

By-law No. 54-2003 Adult Entertainment Licensing being a By-law to regulate, license and govern adult entertainment establishments is hereby amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by replacing the definition of "person" in Section 2 with the following:

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 77 and renumbering subsequent sections accordingly:

ADMINISTRATIVE PENALTIES

78. This By-law is a designated by-law under the Town's *AMPS By-Law*.

79. An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of sections 3 or 4 (licences)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of sections 3 or 4 (licences)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of sections 3 or 4 of (licences)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

80. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

81. Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of section 79 of this By-Law.

82. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

83. Other than as set out in section 82 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

DRAFT

Schedule B of By-law No. x-2024

By-law No. 53-2003 Adult Videotape Licensing being a By-law to license, regulate and govern businesses which offer adult video tapes for sale, rent, trade or exchange is hereby amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by replacing the definition of "Person" in Section 2 with the following:

"Person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 50 and renumbering subsequent sections accordingly:

ADMINISTRATIVE PENALTIES

51. This By-law is a designated by-law under the Town's *AMPS By-Law*.

52. An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of sections 3 or 4 (licences)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of sections 3 or 4 (licences)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>First Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>First Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the <i>First Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the <i>First Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of sections 3 or 4 of (licences)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>Second or subsequent Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>Second or subsequent Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>Second or subsequent Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the <i>Second or subsequent Penalty Notice</i>

53. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

54. Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of section 52 of this By-Law.

55. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

56. Other than as set out in section 55 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

DRAFT

Schedule C of By-law No. x-2024

By-law No. 090-2004 Animal Control being a By-law to regulate licensing and identification of domestic animals and to prohibit the keeping of certain animals is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by adding the following new heading and sections after section 72 and renumbering subsequent sections accordingly:

PART 9 - ADMINISTRATIVE PENALTIES

73. This By-law is a designated by-law under the Town's *AMPS By-Law*.

74. An *Animal Control Officer* or *Licensing Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Failure to comply with Muzzle Order or Interim Muzzle Order under Part 6	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$ 75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Failure to comply with Muzzle Order or Interim Muzzle Order under Part 6	\$ 750.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 93.75 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$ 450.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 112.50 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Failure to comply with Muzzle Order or Interim Muzzle Order under Part 6	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 600.00 for each day that the contravention occurred or <i>continued</i> after the	\$ 150.00 for each day that the contravention occurred or

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		date in the Second or subsequent <i>Penalty Notice</i>	<i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

75. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

76. Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of section 74 of this By-Law.

77. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

78. Other than as set out in section 77 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule D of By-law No. x-2024

By-law No. 34-2006 Anti-Chasing – Tow Trucks is hereby amended as follows is hereby amended as follows:

1. by adding the following definitions to section 1 and revising the numbering accordingly:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"*continues*" or "*continued*" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by adding the following new heading and sections after section 4 and renumbering subsequent sections accordingly:

5. ADMINISTRATIVE PENALTIES

a) This By-law is a designated by-law under the Town's *AMPS By-Law*.

b) An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 1 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 700.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 175 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

c) Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

d) Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsections b)) of this By-Law.

e) If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

f) Other than as set out in subsection e) of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule E of By-law No. x-2024

By-law No. 37-2003 Body Rub Parlor Licensing being a By-law to regulate license and govern body -rub parlors within the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the *Town's AMPS By-Law*;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by adding the following new heading and sections after section 75 and renumbering subsequent sections accordingly:

ADMINISTRATIVE PENALTIES

76. This By-law is a designated by-law under the Town's *AMPS By-Law*.

77. An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of section 3 (licence requirements)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Second Penalty Notice	Contravention of section 3 (licence requirements)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of section 3 (licence requirements)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

78. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

79. Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of section 77 of this By-Law.

80. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

81. Other than as set out in section 80 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule F of By-law No. x-2024

By-law No. 024-2018 Business Licensing being a By-law to license, regulate and govern businesses within the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"*continues*" or "*continued*" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Officer" includes a Municipal Law Enforcement Officer, a Licensing Officer, or an Animal Services Officer;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

2. by replacing the definition of "Person" in Section 1 with the following:

"Person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 27 and renumbering subsequent sections accordingly:

28. ADMINISTRATIVE PENALTIES

28.1 This By-law is a designated by-law under the Town's AMPS By-Law.

28.2 An Officer who is satisfied that a person has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a Penalty Notice to the person for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of subsection 4.3 (licence requirements) or a Direction under section 18.1 of this By-law	\$ 500.00 for each day that the contravention occurred	\$125.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of subsection 4.3 (licence requirements) or a Direction under section 18.1 of this By-law	\$1000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$600.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$150.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of subsection 4.3 (licence requirements) or a Direction under section 18.1 of this By-law	\$2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$1,200.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$300.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

28.3 Each person who has been issued a Penalty Notice shall, be liable to pay the administrative penalty set out in the Penalty Notice to the Town within 15 days of the date of issuance.

28.4 Where a Penalty Notice has been canceled under the Town's AMPS By-Law it shall not be considered a Penalty Notice for the purposes of subsection 28.2 of this By-Law.

28.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

28.6. Other than as set out in subsection 28.5 of this by-law, the issuing of a Penalty Notice does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule G of By-law No. x-2024

By-law No. 26-2010 House Numbering being a By-law to provide for the numbering of lots and buildings within the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1.1:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by adding the following new heading and sections after section 7 and renumbering subsequent sections accordingly:

8. ADMINISTRATIVE PENALTIES

8.1 This By-law is a designated by-law under the Town's AMPS By-Law.

8.2 A *Chief Fire Official*, a Municipal Law Enforcement Officer or such other persons as *Council* may designate who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 1 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 700.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 175 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

8.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

8.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 8.2 of this By-Law.

8.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

8.6 Other than as set out in subsection 8.5 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule H of By-law No. x-2024

By-law No. 042-2020 Community Standards being a By-law respecting litter, waste and property maintenance is hereby amended as follows:

1. by adding the following definitions to section 3:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Corporation" includes a company, corporation, cooperative, partnership, firm, sole proprietorship, association, society, organization or any other legal entity that is not a natural *person*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by adding the following new heading and sections after section 14 and renumbering subsequent sections accordingly:

15 ADMINISTRATIVE PENALTIES

15.1 This By-law is a designated by-law under the Town's *AMPS By-Law*.

15.2 An *Municipal Law Enforcement Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of an Order under s.13.7 of this By-Law	\$ 300.00 for each day that the contravention occurred or <i>continued</i>	\$ 75.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 200.00 for each day that the contravention	\$ 50.00 for each day that the contravention

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
		occurred or <i>continued</i>	occurred or <i>continued</i>
Second Penalty Notice	Contravention of an Order under s.13.7 of this By-Law	\$ 600.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 150.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions under s.13.7 of this By-Law	\$ 400.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of an Order under s.13.7 of this By-Law	\$ 1,200.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 300.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 200.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
			subsequent <i>Penalty Notice</i>

15.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

15.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 15.2 of this By-Law.

15.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, an *Officer* may charge a *person* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

15.6 Other than as set out in subsection 15.5 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule I of By-law No. x-2024

By-law No. 011-2018 Election Sign being a By-law to manage and regulate election signs is hereby amended as follows:

1. by adding the following definitions to section 2:

AMPS By-Law shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

“continues” or “continued” with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

Penalty Notice means a notice issued pursuant to the Town’s *AMPS By-Law*;

2. by replacing the definition of “person” in Section 2 with the following:

person includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 11 and renumbering subsequent sections accordingly:

12. ADMINISTRATIVE PENALTIES

12.1 This By-law is a designated by-law under the Town’s AMPS By-Law.

12.2 A Municipal Law Enforcement Officer who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 700.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 175 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

12.3 Each person who has been issued a Penalty Notice shall, be liable to pay the administrative penalty set out in the Penalty Notice to the Town within 15 days of the date of issuance.

12.4 Where a Penalty Notice has been canceled under the Town's AMPS By-Law it shall not be considered a Penalty Notice for the purposes of subsection 12.2 of this By-Law.

12.5 If a person is issued a Penalty Notice, the person shall not be charged with an offence or issued an additional Penalty Notice in respect of the same contravention. For clarity, the person may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the Penalty Notice. Likewise, a person may be issued a Penalty Notice for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the Penalty Notices that have been issued.

12.6 Other than as set out in subsection 12.5 of this by-law, the issuing of a Penalty Notice does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

Schedule J of By-law No. x-2024

By-law No. 062-2016 Firearms being a By-law to regulate the discharge of firearms is hereby amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or "continued" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by adding the following new heading and sections after section 9 and renumbering subsequent sections accordingly:

10. ADMINISTRATIVE PENALTIES

10.1 This By-law is a designated by-law under the Town's AMPS By-Law.

10.2 A Law Enforcement Officer who is satisfied that a person has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a Penalty Notice to the person for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 700.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 175 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

10.3 Each person who has been issued a Penalty Notice shall, be liable to pay the administrative penalty set out in the Penalty Notice to the Town within 15 days of the date of issuance.

10.4 Where a Penalty Notice has been canceled under the Town's AMPS By-Law it shall not be considered a Penalty Notice for the purposes of subsection 10.2 of this By-Law.

10.5 If a person is issued a Penalty Notice, the person shall not be charged with an offence in respect of the same contravention. For clarity, the Town may charge a person for a repetition of a contravention or in the case of a continuing contravention, a continuation of the contravention after the date in the Penalty Notice. Likewise, a *person* may be issued a *Penalty Notice* for a repetition or continuation of a contravention that occurred after the date of the offence set out in any charges that have been issued.

10.6 Other than as set out in subsection 10.5 of this by-law, the issuing of a Penalty Notice does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

Schedule K of By-law No. 088-2024

By-law No. 037-2009 Fireworks being a By-law to prohibit and regulate the sale, storage, display and discharge of fireworks is hereby amended as follows:

3. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

4. by adding the following new heading and sections after section 20 and renumbering subsequent sections accordingly:

21. ADMINISTRATIVE PENALTIES

21.1 This By-law is a designated by-law under the Town's AMPS By-Law.

21.2 A Law Enforcement Officer who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or continued to occur	\$ 100 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 800.00 for each day that the contravention occurred or continued to occur	\$ 200 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or continued to occur	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

21.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

21.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 21.2 of this By-Law.

21.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

21.6 Other than as set out in subsection 21.5 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule L of By-law No. x-2024

By-law No. 133-2012 Noise being a By-law to prohibit and regulate noise within the Town of Milton is amended as follows:

1. by adding the following definitions to section 2:

“AMPS By-Law” shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

“*continues*” or “*continued*” with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

“Penalty Notice” means a notice issued pursuant to the Town’s AMPS By-Law;

“Corporation” includes a company, corporation, cooperative, partnership, firm, sole proprietorship, association, society, organization or any other legal entity that is not a natural person;

2. by replacing the definition of “person” with the following:

“person” includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 7 and renumbering subsequent sections accordingly:

8 ADMINISTRATIVE PENALTIES

8.1 This By-law is a designated by-law under the Town’s *AMPS By-Law*.

8.2 A Municipal Law Enforcement Officer or a police officer who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of Table 1 (where the *person* is a natural *person*) or Table 2 (where the *person* is a *corporation*) for the applicable contravention:

Table 1: Administrative Penalties for Natural Persons			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of an Order under	\$ 500.00 for each day that the	\$125.00 for each day that

Table 1: Administrative Penalties for Natural Persons			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
	s.7.2 of this By-Law	contravention occurred	the contravention occurred or <i>continued</i>
	All other contraventions	\$ 200.00 for each day that the contravention occurred	\$50.00 for each day that the contravention occurred
Second Penalty Notice	Contravention of an Order under s.7.2 of this By-Law	\$ 1,000.00 for each day that the contravention occurred	\$ 250.00 for each day that the contravention occurred
	All other contraventions under s.13.7 of this By-Law	\$ 400.00 for each day that the contravention occurred	\$ 100.00 for each day that the contravention occurred or <i>continued</i> to occur
Third and subsequent Penalty Notice	Contravention of an Order under s.7.2 of this By-Law	\$ 1,000.00 for each day that the contravention occurred	\$ 250.00 for each day that the contravention occurred
	All other contraventions	\$ 800.00 for each day that the contravention occurred	\$ 200.00 for each day that the contravention occurred

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of an Order under s.7.2 of this By-Law	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of an Order under s. 7.2 of this By-Law	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions under s.7.2 of this By-Law	\$ 800.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 200.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of an Order under s.7.2 of this By-Law	\$ 2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

8.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

8.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 8.2 of this By-Law.

8.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

8.6 Other than as set out in subsection 8.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule M of By-law No. x-2024

By-law No. 072-2006 Parks being a By-law to regulate parks within the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1.1:

"*AMPS By-Law*" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"*continues*" or "*continued*" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"*Penalty Notice*" means a notice issued pursuant to the Town's AMPS By-Law;

2. by replacing the definition of "person" in Section 2 with the following:

"*person*" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by replacing section 22.1 with the following:

22.1 This By-law shall be enforced by Municipal Law Enforcement Officers, Police Officers, officers of the Burlington Humane Society and Conservation Halton or such other persons as the Director or Council may designate

4. by adding the following new heading and sections after section 22 and renumbering subsequent sections accordingly:

23. ADMINISTRATIVE PENALTIES

9.1 This By-law is a designated by-law under the Town's AMPS By-Law.

9.2 A *Municipal Law Enforcement Officer, Police Officers*, officers of the Burlington Humane Society and Conservation Halton, or such other persons as the Director or Council may designate, who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Failure to Comply with Direction under s.22.3 of this By-Law	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Failure to Comply with Direction under s.22.3 of this By-Law	\$800.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$200.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Failure to Comply with Direction under s.22.3 of this By-Law	\$1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			or subsequent Penalty Notice

9.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

9.4 Where a *Penalty Notice* has been canceled under the *Town's* AMPS By-Law it shall not be considered a *Penalty Notice* for the purposes of subsection 9.2 of this By-Law.

9.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

9.6 Other than as set out in subsection 9.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule N of By-law No. x-2024

By-law No. 087-2009 Signage (Portable) being a By-law to regulate the size use, location and maintenance of portable signs on private property is amended as follows:

1. by adding the following definitions to section 21

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by replacing the definition of "person" in Section 1 with the following:

"person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 11 and renumbering subsequent sections accordingly:

12. ADMINISTRATIVE PENALTIES

12.1 This By-law is a designated by-law under the Town's AMPS By-Law.

12.2 A *Municipal Law Enforcement Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention s. 3.1 (permit requirements)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			occurred or <i>continued</i>
Second Penalty Notice	Contravention s. 3.1 (permit requirements)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention s. 3.1 (permit requirements)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

12.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

12.4 Where a *Penalty Notice* has been canceled under the *Town's* AMPS By-Law it shall not be considered a *Penalty Notice* for the purposes of subsection 12.2 of this By-Law.

12.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

12.6 Other than as set out in subsection 12.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule O of By-law No. x-2024

By-law No. 131-2012 Property Standards being a By-law to prescribe the standards for maintenance and occupancy of properties in the Town of Milton is amended as follows:

1. by adding the following definitions to section 5:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

"Corporation" includes a company, corporation, cooperative, partnership, firm, sole proprietorship, association, society, organization or any other legal entity that is not a natural person;

2. by replacing the definition of *"Person"* in Section 5 with the following:

"Person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 58 and renumbering subsequent sections accordingly:

59. ADMINISTRATIVE PENALTIES

59.1 This By-law is a designated by-law under the Town's *AMPS By-Law*.

59.2 An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of Table 1 (where the *person* is a natural *person*) or Table 2 (where the *person* is a *corporation*) for the applicable contravention:

Table 1: Administrative Penalties for Natural Persons			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of an Order under	\$ 300.00 for each day that the contravention	\$ 75.00 for each day that the

Table 1: Administrative Penalties for Natural Persons			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
	s.49.1 of this By-Law	occurred or <i>continued</i>	contravention occurred or <i>continued</i>
	All other contraventions	\$ 200.00 for each day that the contravention occurred or <i>continued</i>	\$ 50.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of an Order under s.49.1 of this By-Law	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of an Order under s.49.1 of this By-Law	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or

Table 1: Administrative Penalties for Natural Persons			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
			subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 200.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of an Order under s.49.1 of this By-Law	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of an Order under s.49.1 of this By-Law	\$ 1,000.00 for each day that the contravention occurred or	\$ 250.00 for each day that the contravention

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		<i>continued</i> after the date in the First <i>Penalty Notice</i>	occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 200.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent <i>Penalty Notice</i>	Contravention of an Order under s.49.1 of this By-Law	\$ 2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

59.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

59.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 59.2 of this By-Law.

59.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence in respect of the same contravention. For clarity, the *Town* may charge a person for a repetition of a contravention or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a repetition or continuation of a contravention that occurred after the date of the offence set out in any charges that have been issued.

59.6 Other than as set out in subsection 59.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule P of By-law No. x-2024

Road Occupancy, Fouling, and Entrance Permit Bylaw No. 035-2020 being a By-law to regulate the construction, installation, widening, altering of entrances to and the occupation or fouling of road allowances under the jurisdiction of the Town is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"*continues*" or "*continued*" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Officer" includes a Municipal Law Enforcement Officer, Police Officer or such other person as may be designated by the *Director* for the enforcement of this By-law;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

2. by adding the following new heading and sections after Part XII and renumbering subsequent sections accordingly:

Part XIII ADMINISTRATIVE PENALTIES

52. This By-law is a designated By-law under the Town's AMPS By-Law.

53. An Officer who is satisfied that a person has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a Penalty Notice to the person for each contravention in the amount set out in Column 2 of Table 1 (where the person is an individual) or Table 2 (where the person is a corporation) for the applicable contravention:

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of section 2, 3 or 5 (permits)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of section 2, 3 or 5 (permits)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of section 2, 3 or 5 (permits)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention	\$175.00 for each day that the

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of section 2, 3 or 5 (permits)	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of section 2, 3 or 5 (permits)	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			First <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 200.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent <i>Penalty Notice</i>	Contravention of section 2, 3 or 5 (permits)	\$ 2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

54. Each person who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the Town within 15 days of the date of issuance.

55. Where a Penalty Notice has been canceled under the Town's AMPS By-Law it shall not be considered a Penalty Notice for the purposes of section 53 of this By-Law.

56. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

57. Other than as set out in section 56 of this By-law, the issuing of a Penalty Notice does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

DRAFT

Schedule Q of By-law No. x-2024

By-law No. 062-2022 Short Term Rental being a By-law to license short term rentals and to regulate all related activity is hereby amended as follows:

4. by adding the following definitions to subsection 3.1:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

5. by changing the subsection referred to in subsection 14.6 from "subsection 14.4" to "subsection 14.5";
6. by repealing the text of subsection 16.3 and replacing the text of subsection 16.3 with the following:

16.3 Any Person who is charged with an offence under this By-law by the laying of an information under Part III of the Provincial Offences Act and is found guilty of the offence is liable, pursuant to the *Municipal Act, 2001*, would be subject to the following fines:

- (a) Except in the case of a continuing offence, a minimum fine of \$500 and a maximum fine of \$100,000; and
- (b) In the case of a continuing offence, for each day or part of a day that the offence continues, a minimum fine of \$500, and a maximum fine of \$10,000, but the total of all daily fines for the offence is not limited to \$100,000,

7. by adding the following new heading and sections after section 16 and renumbering subsequent sections accordingly:

17. ADMINISTRATIVE PENALTIES

17.1 This By-law is a designated by-law under the Town's *AMPS By-Law*.

17.2 An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of s. 4.1 or 14.5	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$125.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of s. 4.1 or 14.5	\$1000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$600.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$150.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of s. 4.1 or 14.5	\$2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$1,200.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$300.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
			or subsequent <i>Penalty Notice</i>

17.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

17.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 17.2 of this By-Law.

17.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

17.6 Other than as set out in subsection 17.5 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule R of By-law No. x-2024

By-law No. 120-2017 Signage being a By-law to regulate the size, use, location, and maintenance of sign and advertising devices on private property within the Town of Milton is amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*.

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by replacing the definition of "Person" in Section 2 with the following:

"Person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 10 and renumbering subsequent sections accordingly:

11. ADMINISTRATIVE PENALTIES

11.1 This By-law is a designated by-law under the Town's AMPS By-Law.

11.2 A Municipal Law Enforcement Officer or Chief Building Official who is satisfied that a person has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a Penalty Notice to the person for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of a direction under subsection 10.1.2 or contravention of subsections 3.7, 5.4 or 5.9 (permits/approvals)	\$ 400.00 for each day that the contravention occurred or continued	\$100.00 for each day that the contravention occurred or continued

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred or continued	\$75.00 for each day that the contravention occurred or continued
Second Penalty Notice	Contravention of a direction under subsection 10.1.2 or contravention of subsections 3.7, 5.4 or 5.9 (permits/approvals)	\$700.00 for each day that the contravention occurred or continued after the date in the First Penalty Notice	\$175.00 for each day that the contravention occurred or continued after the date in the First Penalty Notice
	All other contraventions	\$500.00 for each day that the contravention occurred or continued to occur after the date in the First Penalty Notice	\$125.00 for each day that the contravention occurred or continued to occur after the date in the First Penalty Notice
Third and subsequent Penalty Notice	Contravention of a direction under subsection 10.1.2 or contravention of subsections 3.7, 5.4 or 5.9 (permits/approvals)	\$1,000.00 for each day that the contravention occurred or continued after the date in the Second or subsequent Penalty Notice	\$250.00 for each day that the contravention occurred or continued after the date in the Second or subsequent Penalty Notice
	All other contraventions	\$700.00 for each day that the contravention occurred or continued after the date in the Second or subsequent Penalty Notice	\$175.00 for each day that the contravention occurred or continued after the date in the Second or subsequent Penalty Notice

11.3 Each person who has been issued a Penalty Notice shall, be liable to pay the administrative penalty set out in the Penalty Notice to the Town within 15 days of the date of issuance.

11.4 Where a Penalty Notice has been canceled under the Town's AMPS By-Law it shall not be considered a Penalty Notice for the purposes of subsection 11.2 of this By-Law.

11.5 If a person is issued a Penalty Notice, the person shall not be charged with an offence or issued an additional Penalty Notice in respect of the same contravention. For clarity, the person may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the Penalty Notice. Likewise, a person may be issued a Penalty Notice for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the Penalty Notices that have been issued.

11.6 Other than as set out in subsection 11.5 of this by-law, the issuing of a Penalty Notice does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

Schedule S of By-law No. x-2024

By-law No. 094-2022 Site Alteration being a By-law to prohibit and regulate the placing, depositing, cutting or removal of fill or the altering of grades or drainage on any lands is hereby amended as follows:

1. by adding the following definitions to section 1:

"*AMPS By-Law*" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"*continues*" or "*continued*" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"*Penalty Notice*" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by adding the following new heading and sections after section 13 and renumbering subsequent sections accordingly:

14. ADMINISTRATIVE PENALTIES

14.1 This By-law is a designated by-law under the Town's *AMPS By-Law*.

14.2 The *Director* or an *Inspector* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a *permit*, or *order*, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of Table 1 (where the *person* is an *individual*) or Table 2 (where the *person* is a *corporation*) for the applicable contravention:

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention	\$75.00 for each day that the contravention

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		occurred or <i>continued</i>	occurred or <i>continued</i>
Second Penalty Notice	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
		or subsequent <i>Penalty Notice</i>	Second or subsequent <i>Penalty Notice</i>

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the	\$ 200.00 for each day that

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent <i>Penalty Notice</i>	Contravention of ss.2.3 or 2.11 (permits) or ss. 2.4, 12.6, 12.7 or 12.8 (orders)	\$ 2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

14.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

14.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 14.2 of this *By-Law*.

14.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different

contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the Penalty Notice. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

14.6 Other than as set out in subsection 14.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

DRAFT

Schedule T of By-law No. x-2024

By-law No. 095-2022 Stormwater Infrastructure being a By-law to regulate the use of municipal stormwater infrastructure in the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"continues" or "continued" with respect to a contravention, shall have the same meaning;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

2. by adding the following new heading and sections after section 9 and renumbering subsequent sections accordingly:

10. ADMINISTRATIVE PENALTIES

10.1 This By-law is a designated by-law under the Town's AMPS By-Law.

10.2 The *Director* or a Municipal Law Enforcement Officer who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a *permit*, or *order*, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of Table 1 (where the *person* is an *individual*) or Table 2 (where the *person* is a *corporation*) for the applicable contravention:

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of s. 3.1 (discharge) or 6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			occurred or <i>continued</i>
Second Penalty Notice	Contravention of s. 3.1 Discharge or s.6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of s. 3.1 (discharge) s.6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the

Table 1: Administrative Penalties for Individuals			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
		or subsequent <i>Penalty Notice</i>	Second or subsequent <i>Penalty Notice</i>

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Contravention of s. 3.1 (discharge) s.6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$ 500.00 for each day that the contravention occurred or <i>continued</i>	\$ 125.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of s. 3.1 (discharge) s.6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$ 800.00 for each day that the	\$ 200.00 for each day that

Table 2: Administrative Penalties for Corporations			
Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent <i>Penalty Notice</i>	Contravention of s. 3.1 (discharge) s.6.1 (permits) or failure to comply with an <i>order</i> contrary to s.8.4 or s.8.5.	\$ 2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$ 1,600.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 400.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

10.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

10.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 10.2 of this *By-Law*.

10.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

10.6 Other than as set out in section 10.5 of this by-law, the issuing of a *Penalty Notice* does not limit the Town's ability to initiate any other proceeding or seek any other remedy the Town deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule U of By-law No. x-2024

By-law No. 106-2019 Removal of Snow and Ice being a By-law to provide for the removal of snow and ice from sidewalks within the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"continues" or "continued" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

2. by adding the following new heading and sections after section 3 and renumbering subsequent sections accordingly:

4. ADMINISTRATIVE PENALTIES

4.1 This By-law is a designated by-law under the Town's AMPS By-Law.

4.2 A Municipal Law Enforcement Officer who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$ 100.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$ 700.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$ 175.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	\$ 1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$ 250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

4.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

4.4 Where a *Penalty Notice* has been canceled under the *Town's* AMPS By-Law it shall not be considered a *Penalty Notice* for the purposes of subsection 4.2 of this By-Law.

4.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

4.6 Other than as set out in subsection 4.5 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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Schedule V of By-law No. x-2024

By-law No. 077-2010 Swimming Pool Fences being a By-law to require the owners of privately owned swimming pools to erect and maintain fences and gates around such swimming pools is hereby amended as follows:

1. by adding the following definitions to section 2:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by replacing the definition of *"person"* in Section 2 with the following:

2.1.8 *"person"* includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

3. by adding the following new heading and sections after section 8 and renumbering subsequent sections accordingly:

SECTION 9 ADMINISTRATIVE PENALTIES

9.1 This By-law is a designated by-law under the Town's AMPS By-Law.

9.2 A *Municipal Law Enforcement Officer* or *Chief Building Official* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of s. 6.1 or failure to comply with an order under s. 7.1.2.	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of s. 6.1 or failure to comply with an order under s. 7.1.2.	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of s. 6.1 or failure to comply with an order under s. 7.1.2.	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

9.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

9.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 9.2 of this *By-Law*.

9.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this *By-Law*, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this *By-Law*, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

9.6 Other than as set out in subsection 9.5 of this *By-law*, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule X of By-law No. x-2024

By-law No. 42-87 Being a By-law to provide for the keeping of pounds and prohibiting the running at large or trespassing of domestic farm animals, other than dogs, in the Town of Milton is hereby amended as follows:

1. by adding the following definitions to section 1:

"AMPS By-Law" shall mean the Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

"continues" or "continued" with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Officer" includes the Poundkeeper, a Municipal Law Enforcement Officer, Police Officer or such other person as may be designated for the enforcement of this By-law;

"Penalty Notice" means a notice issued pursuant to the Town's AMPS By-Law;

"Person" includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

2. by capitalising the word "Person" and deleting the words "or corporation" from sections 2 and 3.
3. by capitalising the word "Person" and deleting the words "or corporation," from sections 11.
4. by adding the following new section after section 11 and renumbering subsequent sections accordingly:
 11. No person who, without the permission of the Poundkeeper, or other person who has impounded any animals running at large or trespassing, shall remove or free such animal or animals from where impounded, without the written authorization of the Poundkeeper,
5. by adding the following new sections and subheading after section 12 and renumbering subsequent sections accordingly:

ADMINISTRATIVE PENALTIES

13. This By-law is a designated by-law under the *Town's AMPS By-Law*.

14. An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of section 11 (removing or freeing impounded animal)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Contravention of section 11 (removing or freeing impounded animal)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of section 11 (removing or freeing impounded animal)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i>	\$175.00 for each day that the contravention occurred or

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
		after the date in the Second or subsequent <i>Penalty Notice</i>	<i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

15. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

16. Where a *Penalty Notice* has been canceled under the *Town's* AMPS By-Law it shall not be considered a *Penalty Notice* for the purposes of section 14 of this By-Law.

17. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

18. Other than as set out in section 17 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

Schedule Y of By-law No. x-2024

By-law No. 050-2023 being a by-law to regulate and license vehicles for hire is hereby amended as follows:

1. by adding the following definitions to section 3:

"AMPS By-Law" shall mean the *Administrative Monetary Penalties System Respecting Non-Parking Violations By-Law* as amended or any successor thereto;

"continues" or *"continued"* with respect to a contravention, shall have the same meaning as in the *AMPS By-Law*;

"Penalty Notice" means a notice issued pursuant to the Town's *AMPS By-Law*;

2. by deleting the definition of *"Officer"* in sections 3 and replacing it with the following:

"Officer" includes a Municipal Law Enforcement Officer, Licensing Officer, Police Officer or such other person as may designated for the enforcement of this By-law;

3. by adding the following new heading and sections after section 12 and renumbering subsequent sections accordingly:

13. ADMINISTRATIVE PENALTIES

13.1 This By-law is a designated by-law under the *Town's AMPS By-Law*.

13.2 An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
First Penalty Notice	Contravention of sections 5.1, 5.2, 5.5, 5.6 or 5.7 (Licencing, etc.) or contravention of section 10.6 (Orders)	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty per Contravention	Minimum Penalty per Contravention
			occurred or <i>continued</i>
Second Penalty Notice	Contravention of sections 5.1, 5.2, 5.5, 5.6 or 5.7 (Licencing, etc.) or contravention of section 10.6 (Orders)	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>	\$125.00 for each day that the contravention occurred or <i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	Contravention of sections 5.1, 5.2, 5.5, 5.6 or 5.7 (Licencing, etc.) or contravention of section 10.6 (Orders)	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

13.3 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 15 days of the date of issuance.

13.4 Where a *Penalty Notice* has been canceled under the *Town's AMPS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 13.2 of this By-Law.

13.5 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

13.6 Other than as set out in subsection 13.5 of this By-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

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POLICY: Public Complaints	NO. OF PAGES: 3
SECTION: Administrative Penalty System for Parking and Non-Parking Offences	REVISED:
EFFECTIVE DATE:	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking by-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening Officers and a Hearing Officer to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

The purpose of this policy to provide a standardized, and efficient mechanism for filing and processing of complaints made by the public with respect to the administration of the Town's Administrative Penalty System (APS) program.

Applicability

This policy applies to any member of the public who has a complaint with respect to the administration of the Administrative Penalty System (APS) program.

Procedure

The following procedure will be followed by the Town, should a complaint be made with respect to the administration of the system.

The Complainant may be asked to provide additional written details, supporting documentation, and records concerning the complaint to ensure a complete investigation can commence.



Time Limitations

In order to achieve due process, a complaint must be made in a timely fashion, not later than thirty (30) days after the facts on which it is based became known, or reasonably ought to have become known, to the Complainant.

The Director of Legislative & Legal Services or designate will also adhere to the timelines set out in this policy unless circumstances exist to reasonably justify a delay. In the event that a delay becomes necessary, the Complainant shall be notified in writing of the reason for delay and will be advised of the date when the response will be forthcoming. A copy of the notification will be retained for tracking purposes.

Process

- a) Any public complaint must be submitted in writing, identifying the name and full contact information of the Complainant, and sent to the Director of Legislative & Legal Services, or designate within 30 days in respect to the date of the event for which the complaint is being made.
- b) Complaints that are anonymous will not be accepted.
- c) Any complaint regarding a Member of Council in respect of the administration of APS shall be processed in accordance with the Code of Conduct for Members of Council.
- d) The Director of Legislative & Legal Services, or designate, will not address or process any public complaint that is deemed by the Director of Legislative & Legal Services, or designate, as frivolous, vexatious, trivial or made in bad faith.
- e) Any deemed resolution of a formal complaint will be addressed by written response by the Director of Legislative & Legal Services, or designate, to the person filing the complaint. A public complaint sustained through a review cannot be used as the basis to change or void a decision of a Screening Officer or Hearing Officer, including any penalty fines and administrative fees due or paid.
- f) The Director of Legislative & Legal Services or designate will provide a written response concerning the complaint, set out his/her decision and, where appropriate, the reasons therefore, to the Complainant with a copy to the Director of Legislative & Legal Services, within thirty **(30)** working days of receipt of the complaint.



Complaint Alleging Misconduct by Decision-Makers under this Policy

In the event that a complaint arises alleging misconduct on the part of a decision-maker under this policy, the Director of Legislative & Legal Services or designate may assign a senior staff member to conduct the investigation.

Withdrawal of Complaint

A Complainant may withdraw their complaint at any time by providing a written request to withdraw. Notwithstanding a withdrawal, the Town may continue to deal with the complaint if it considers it appropriate to do so. When withdrawn, the Director of Legislative & Legal Services or designate will be notified that the complaint has been withdrawn and will be advised by the Director of Legislative & Legal Services or designate whether the investigation will continue nonetheless.

Confidentiality

The public complaint resolution will be handled as a confidential matter according to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990, c. M.56*. All parties involved will be advised to maintain the confidentiality of the complaints or incidents.

Recordkeeping and Disclosure of Complaints

The official records relating to this public complaint resolution will be managed by the Director of Legislative & Legal Services or designate according to the Town's Records Retention By-law.



POLICY:	Screening & Hearing Officer Conflict of Interest	NO. OF PAGES: 6
SECTION:	Administrative Penalty System for Parking and Non-Parking Related Offences	REVISED:
EFFECTIVE DATE:	Mar 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking by-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening Officers and a Hearing Officer to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

To provide a standardized guideline to define what constitutes a conflict of interest in relation to the administration of the system, to prevent such conflicts of interest and to redress such conflicts should they occur.

This policy is to establish conflict of interest guidelines to ensure that the APS program administration is conducted in accordance with fundamental principles of justice, which include judicial and prosecutorial independence, fairness, impartiality, competence and integrity.



Application

This policy applies to the person(s) appointed by the Town of Milton as a Screening or Hearing Officer, and all Town officials and any employee involved in the administration of APS program.

Definitions

For the purpose of this policy, the following definitions are to be interpreted:

“APS” means Administrative Penalty System

“Council” means the Council of the Town;

“Delegated Power of Decision” means a power or right, conferred by or under a Town By-Law, to make a decision deciding or prescribing, the legal rights, powers, privileges, immunities, duties or liabilities of any person or party, or the eligibility of any person or party to receive, or to the continuation of, a benefit or license, whether the person is legally entitled thereto or not.

“Director of Legislative & Legal Services” means the Director of Legal and Legislative Services, or designate, or anyone designated by the Director of Legal & Legislative Services to perform duties pursuant to the Administrative Penalty System (APS)

“Hearing Review” means the process set out in the Administrative Penalty System program

“Hearing Officer” means each person appointed from time to time to perform the functions of a Hearing Officer pursuant to the APS program.

“Penalty Notice” means a notice given to a Person.

“Person” includes an individual, or a business name, sole proprietorship, corporation, partnership or an authorized representative thereof, whose name appears on the vehicle license plate portion of the permit as provided by the Ontario Ministry of Transportation is the Person for the purposes of this Policy.

“Relative” includes any of the following Persons:

- (i) **“Child”** means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of their family;



- (ii) “Spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;
- (iii) Siblings and children of siblings
- (iv) Aunt, uncle, niece and nephew
- (v) “Parent” means a person who has demonstrated a settled intention to treat a child as a member of their family whether or not that person is the natural parent of the child or is the legal guardian

“**Screening Decision**” means a notice or report which contains the decision of a Screening Officer delivered in accordance with the APS program.

“**Screening Officer**” means each person designated by the Director of Legislative & Legal Services to perform the functions of a Screening Officer pursuant to the APS program.

“**Screening Review**” means the process set out in section the APS program.

“**Town**” means The Corporation of the Town of Milton;

The positions of Screening Officers and Hearing Officers are established for the purpose of exercising Delegated Powers of Decision.

Appointments of Screening Officers and Hearing Officers

The Town’s APS By-law sets out the rules regarding the appointment of Screening Officers and Hearing Officers.

The following are not eligible for appointment or as a Screening Officer or a Hearing Officer:

- a) A member of Council or a Relative of a Member of Council
- b) An individual indebted to the Town
 - i) in respect of current real property taxes; or
 - ii) pursuant to any other outstanding arrangement with the Town the terms with which the person is not in compliance.
- (iii) is the subject of any outstanding fines or judgements as levied by any court of competent jurisdiction.
- (iv) is in tax arrears and or in the collections process with the Town.



- c) In the case of a Hearing Officer, cannot be an employee of the Town

Conflict of Interest

A conflict of interest arises where a Screening Officer, Hearing Officer or Town staff involved in the administration of the APS program has a personal or business interest that conflicts, might conflict, or may be perceived to conflict with the interests of the APS program. A conflict of interest could arise in relation to personal or business matters including:

- Directorships or other employment;
- Interests in business enterprises or professional practices;
- Share ownership or beneficial interests in trusts;
- Existing professional or personal associations with a Person;
- Professional associations or relationships with other organizations; and
- Personal associations with other groups or organizations, or family relationships including Relatives.

Screening Officers and Hearing Officers have obligations to conduct Screening Reviews and Hearing Reviews in an impartial manner at all times. Hearing Officers, in conducting a Hearing Review, are bound by the Statutory Powers and Procedures Act, as well as bound by general administrative common law principles (i.e., procedural fairness, natural justice, impartial and unbiased decision-making, legitimate expectation, etc.). It would be inappropriate for a Hearing Officer to review a Screening Decision for a personal or business acquaintance or Relative (as defined above). A conflict of interest includes an actual conflict and a potential conflict.

Every Screening Officer, Hearing Officer and Town employee involved in the administration of APS, must disclose to the Director of Legislative & Legal Services any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with his or her duties to or interests in the administration of the APS program. Additionally, a Screening Officer or Hearing Officer shall not represent any Person at a Screening Review or Hearing Review

Conduct of Hearing Officers

All Screening Officers and Hearing Officers shall conduct themselves in the following manner:

- Both be and appear to be independent, impartial, and unbiased.



- Avoid all conflicts of interest, whether real or perceived, and are responsible for promptly taking appropriate steps to disclose, resolve, or obtain advice with respect to such conflicts when they arise.
- Shall not be influenced by partisan interests, public opinion, or by fear of criticism.
- Shall not use their title and position to promote their own interests or the interests of others.
- Shall discharge their duties in accordance with the law, Town by-laws and APS policy, procedures and guidelines.
- Shall maintain their competence through their work, by participating in training and education courses and by seeking guidance from their colleagues with the Town, as required.
- Shall remain up to date on changes in the law Town by-laws, policy and procedures relevant to their function.
- Are subject to ongoing public scrutiny and therefore they must respect and comply with the law and conduct themselves at all times in a manner that promotes public confidence in the integrity and impartiality of the APS program.
- Shall approach their duties in a calm and courteous manner when dealing with the public and others and should present and conduct themselves in a manner consistent with the integrity of the APS system and their appointment.
- Shall convey in plain language their decisions and the reasons therefore where such are required.
- Must safeguard the confidentiality of information that comes to them by virtue of their work and should not disclose that information except as required by law.
- In discharging their duties, must treat those with whom they deal in a respectful and tolerant manner regardless of the gender, sexual orientation, race, religion, culture, language, mental abilities, or physical abilities of those Persons.
- With administration of natural justice paramount
- Shall refrain from openly and publicly criticizing the administration of the APS program or the conduct of others. Any criticisms, suggestions, or concerns related to the APS program should be communicated only Director of Legislative & Legal Services. Shall deal with the tasks that come before them in a timely manner and should make themselves accessible to those requiring their services.
- Must not knowingly exercise a power or function for which they have not been designated.

Preventing Conflict of Interest

The keys to preventing conflicts of interest are: identification, disclosure and withdrawal from the power of decision in regards to a Screening Review or Hearing Review.



The need for identification, disclosure and withdrawal from a power of decision applies to any real or perceived conflict of interest.

Disclosure

If a Screening Officer or Hearing Officer becomes aware of any real, perceived or potential conflict of interest in regard to a review of an administrative penalty or Screening Decision, as the case may be, the Hearing Officer shall notify the Town designate, of the conflict of interest and;

- In the case of a scheduled review of a Penalty Notice or a Screening Decision that has not yet commenced, can request another Screening Officer or Hearing Officer to conduct the review to avoid actual, potential or perceived conflicts of interest.
- In the case of a review of Penalty Notice or Screening Decision that has commenced, adjourn the review and withdraw from the power of decision and advise the Director of Legislative & Legal Services or designate. The Town will reschedule the Screening Review or Hearing Review with another Screening Officer or Hearing Officer to handle the matter that is subject to the conflict of interest

Screening Officers and Hearing Officers are not permitted to dispute their own Penalty Notices and are expected to pay the administrative penalty for any by-law infraction in a timely manner.



POLICY: Extension of Time to Pay	NO. OF PAGES: 2
SECTION: Administrative Penalty System for Parking and Non-Parking Offences	REVISED:
EFFECTIVE DATE: March 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking By-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening and Hearing Officers to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws .

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

To provide a standardized policy to define what constitutes financial hardship, and the options available in relation to the Screening and Hearing Officers, when assessing claims of financial hardship.

When non-compliance of a municipal by-law is identified a penalty notice is issued to a person. A Penalty Notice must be given or mailed to a Person as soon as is reasonably practicable and must include basic information that will inform the Person of the by-law contravention, the penalty amount, a Person’s right to request a review of the penalty and of the consequences in the event that the penalty is not reviewed.

Scope

A Person has a time-limited right to request a review of the administrative penalty by a Screening Officer.



Within 15 days of the date of the Penalty Notice the Person will have the option to:

- 1) make a voluntary payment; or
- 2) request a review of the administrative penalty by a Screening Officer.

Extension of Time for Payment

Screening Officer

The Screening Officer has a residual discretion to cancel, reduce or to extend the time for payment of an administrative penalty. This is intended to address obvious errors on the Penalty Notice

The Screening Officer will consider reasonable requests for an extension of time to pay on a case-by-case basis, but is not obligated to grant the extension.

Hearing Officer

- The Hearing Officer has the authority to: Cancel or confirm the administrative penalty;
- Extend the time for payment of an administrative penalty; and
- Consider reductions where a person has outlined that financial hardship exists; The Hearing Officer may request supporting documents, that financial hardship exists and is not limited in their request of information to deliberate each case. And shall not be less than the minimum fine amount outlined in the APS Designated Non-Parking By-law.

As with the Screening Officer, the Hearing Officer will consider reasonable requests for extension in the time to pay on a case-by-case basis, but is not obligated to grant the extension.

The decision of the Hearing Officer is final.



POLICY: Extension of Time to Review	NO. OF PAGES: 3
SECTION: Administrative Penalty System for Parking and Non-Parking Offences	REVISED:
EFFECTIVE DATE: March 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the administration and dispute resolution of non-parking By-law offences in the Town of Milton.

The Town has authorized the appointment and use of Screening and Hearing Officers to hear and decide the adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

In accordance with the Municipal Act, the Town must provide a process for a Person to request an extension of time to request a Screening Review or a Hearing Review.

Purpose

To provide a policy to respond to a Person’s request for an extension of time to request a review of a Penalty Notice by a Screening Officer or a Screening Decision by a Hearing Officer.

Scope

The Person has a time-limited right to request a review of the administrative penalty by a Screening Officer.

Within 15 days from the date of the Penalty Notice issuance, a Person will have the option to:

- 1) make a voluntary payment; or
- 2) request a review of the administrative penalty by a Screening Officer.



Screening Review

(a) Within 15 days of receipt of the Penalty Notice the Person will have the option to:

- (i) make a voluntary payment; or
- (ii) request a review of the Penalty Notice by a Screening Officer.

(b) A Person has 15 days to request a Screening Review with a Screening Officer to dispute their Penalty Notice. If the Person has not requested a Screening Review of their Penalty Notice before the 15th day after the Penalty Notice was issued, they may request an extension of time to request a Screening Review. The Person shall make this request no later than 60 days after the issued date on the Penalty Notice.

Granting a Request for an Extension of Time to Request a Screening Review

(a) The request may be granted if the Person requesting the extension demonstrates the existence of Mitigating or Extenuating Circumstances that prevented them from requesting a Screening Review within the original 15 day timeframe set out on the Penalty Notice.

(b) A Person may provide supporting written documentation and other information to the Director of Legal & Legislative Services or designate to justify the Mitigating or Extenuating Circumstances.

(c) The decision to grant the request for an Extension of Time to request a Screening Review will be at the sole discretion of the Director of Legal & Legislative Services or designate. The decision will be made in accordance with the Director of Legislative & Legal Services or designate to Granting a Request for an Extension of Time to request a Screening Review.

Mitigating or Extenuating Circumstances means situations that do not provide an excuse or justify the infraction, but proves the Person was not able to schedule a review of the Penalty Notice.

This Policy applies to Screening Reviews and Hearing Reviews conducted by a Screening Officer or Hearing Officer, in accordance with APS By-law X.



Hearing Review

(a) Following the receipt of a Screening Decision the person will have the option to:

- (i) pay the total amount due; or
- (ii) request a review of the Screening Decision by a Hearing Officer

(b) If a Person would like to request a Hearing Review of the Screening Decision, they must do so on or before the payment due date. If the person has not requested a Hearing Review of their Screening Decision on or before the payment due date, they may request an extension of time to request a Hearing Review. The Person may request an extension of time to request a Hearing Review no later than 30 days after the date of the Screening Review.

Granting a Request for an Extension of Time to Request a Hearing Review

(a) The request may be granted if the person requesting the extension demonstrates the existence of Mitigating or Extenuating Circumstances that prevented them from requesting a Hearing Review on or before the payment due date.

(b) A Person may provide supporting written documentation and other information to the Director of Legislative & Legal Services or designate to justify the Mitigating or Extenuating Circumstances.

(c) The decision to grant the request for an Extension of time to Request a Hearing Review will be at the sole discretion of the Director of Legislative & Legal Services or designate. The decision will be made in accordance with the Director of Legal & Legislative Services or designate Guide to Granting a Request for an Extension of Time to request a Hearing Review.



POLICY: Interference	NO. OF PAGES: 2
SECTION: Administrative Penalty System for Parking Non-Parking Offences	REVISED:
EFFECTIVE DATE: March 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking By-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening and Hearing Officers to hear and decide the outcome of disputes related to Penalty Notices issued for regulatory by-law violations. The Town requires that employees conduct themselves responsibly and professionally in the performance of their duties.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program.

Purpose

To provide a standardized guideline to define what constitutes interference in relation to the Screening and Hearing Officers, to prevent such interference.

Principles of Preventing Political Interference

This policy applies to the Mayor, members of Council, all employees of the Town of Milton, volunteers, contractors and consultants to the Town.

The positions of Screening Officers and Hearing Officers are established for the purpose of exercising Delegated Powers of Decision.

“Delegated Power of Decision” means a power or right, conferred by a Town By-law, to prescribe the legal rights, powers, privileges, immunities, duties and/or liabilities of any person or party;



No person shall attempt, directly or indirectly, to communicate with or influence a Screening or Hearing Officer, or other employees or individuals performing duties related to the administration of APS program. No person shall attempt to influence a Delegated Power of Decision in a proceeding that is or will be pending before the Hearing Officer except a person who is entitled to be heard in the proceedings or the person's agent and only by that person or their agent during the hearing of the proceeding in which the issued arises.

All individuals involved with the enforcement and administrative functions of the APS program shall carry out such duties in a manner, which upholds the integrity of the administration of justice.

Implementation

All Members of Council shall be provided with a copy of this Policy;

This Policy shall form part of the orientation for all Members of Council at the start of a new term of Council, as well as all current and new municipal officials and staff, with the potential for interaction with the APS program; and

This Policy shall form part of the orientation for all current and new Screening Officers and Hearing Officers and APS program administration staff.

Accountability

Where any employee, Screening Officer, Hearing Officer or other person performing duties related to APS, is contacted by a Member of Council or Town official with respect to the administration of APS, he or she shall immediately disclose such contact to the Director of Legal & Legislative Services in order to maintain the integrity of APS; and

A Screening Officer or Hearing Officer shall disclose any actual, potential or perceived political interference as soon as possible to the Director of Legal & Legislative Services.

Cases involving members of Council will be referred to the Integrity Commissioner for their review and report.

This does not prevent a Screening Officer or Hearings Officer from seeking and receiving advice from an appropriate member of the Town's staff.

Proceedings before a Hearings Officer shall be subject to the *Statutory Powers Procedures Act*.



POLICY: Refund Policy	NO. OF PAGES: 2
SECTION: Administrative Penalty System for Non-Parking Offences	REVISED:
EFFECTIVE DATE: Mar 25, 2024	

Policy Statement

The Town of Milton has adopted an Administrative Penalty System (APS) for the dispute resolution and administration of parking and non-parking by-law offences within the Town of Milton.

The Town has authorized the appointment and use of Screening Officers and a Hearing Officer to adjudicate disputes related to Penalty Notices issued for non-compliance of municipal by-laws.

In accordance with Ontario regulation 333/07, the Town is required to develop a policy to address public complaints regarding the administration of the APS program. The same policies will apply to the APS Non-Parking program.

Purpose

To provide a standardized guideline to define what constitutes reasonable incidents that would precipitate a refund of an administrative penalty.

Scope

The individual has an obligation to either pay the prescribed administrative penalty, or request a review of the penalty within 15 days of the date of the Penalty Notice. Circumstances may arise where a payment of an administrative penalty may need to be refunded to the person who made the payment.

The authority to authorize a refund will rest with the Director of Legislative Legal and Services or designate.

Situations that could constitute a valid reason for a refund would include but not limited to:

- Double payment: the penalty has been attempted to be paid twice. This could occur in situations where a person pays the penalty and for whatever reason the penalty is attempted to be paid again. Examples of this may include:
 - A person forgets that payment was made and attempts to pay again,
 - A technological issue where the payment confirmation is not received leading to the penalty attempting to being paid again.
- Over payment or payment error: the person pays more than the allotted penalty, requiring the excess to be refunded;
- Penalty Notice Error: the penalty notice was issued in error and the payment was made prior to the notice being cancelled. Examples of this include:
 - A fatal error on the face of the ticket including, wrong person charged, offence date; location; or listed offence.
 - A notice issued in error including situations where an offence was not committed.
 - A group of notices being cancelled due to unforeseen circumstances.

The APS program staff will complete Payment Request Form, including special instructions to notify Legislative and Legal Services once the cheque refund has been issued. The request will be forwarded to the Director of Legal and Legislative Services or designate for approval. Once the approver is satisfied that a refund is required, the request along with the supporting documentation will be forwarded to Accounts Payable Department for processing.

APS program staff will ensure that the payment reduction or refund is properly corrected in the software system.

Unless outlined in this policy, no refund shall be contrary to an amount stipulated in a decision from the Screening or Hearing Officers.



The Corporation of the Town of Milton

Report To: Council

From: Glen Cowan, Chief Financial Officer / Treasurer

Date: March 25, 2024

Report No: CORS-012-24

Subject: Purchasing Various - March 2024

Recommendation: **THAT Council approve the budget amendments and related funding sources as outlined on Schedule A.**

THAT Council approve the budget amendment for the rural drainage study and stormwater master plan as outlined on Schedule B.

THAT the single source award to Johnson Controls for the supply and delivery of the Metasys user interface building automation system software upgrade in the total amount of \$54,555 (excl. HST) be approved as outlined in Schedule C.

THAT the contract renewal for the joint micro paving program to Duncor Enterprises Inc. in the estimated amount of \$900,000 (excl. HST) be approved as outlined on Schedule D.

THAT the contract extension for animal licensing services to DocuPet be approved as outlined on Schedule E.

THAT the contract increase for implementation of license plate recognition (LPR) technology and programming changes within the parking enforcement software solution to ACCEO Solutions in the amount of \$225,000 (excl. HST) be approved as outlined on Schedule F.

THAT the contract increase for Fifth Line grade crossing and widening project management consulting services to Canadian Pacific Railway in the amount of \$26,850 (excl. HST) be approved as outlined on Schedule G.

THAT the contract increase for Fifth Line grade crossing and widening construction work to Canadian Pacific Railway in the amount of \$319,883 (excl. HST) be approved as outlined on Schedule H.

Report To: Council

THAT the contract increase for Bronte Street grade crossing and widening project to Canadian Pacific Railway in the amount of \$156,591 (excl. HST) be approved as outlined on Schedule I.

THAT the single source award to Town of Halton Hills, Halton Hills Fire Service for the purchase of a Motorola MCC 7500 dispatch console and accessories in the amount of \$50,000 (excl. HST) be approved as outlined on Schedule J.

THAT the single source award to Federal Engineering for consulting services to assist the Town with migration to a Next Generation 911 call handling solution in the total amount of \$112,252 (excl. HST) be approved as outlined on Schedule K.

THAT the Manager, Purchasing and Supply Chain Management be authorized to execute the contract extension, as outlined by the purchasing by-law, and the Mayor and the Town Clerk be authorized to sign any required paperwork.

EXECUTIVE SUMMARY

This report is being submitted to obtain Council's authorization on the item in the attached schedule. Requests are being made as per the guidelines outlined in the Purchasing By-law No. 061-2018.

REPORT

Background

Procurement of goods and services is governed by By-law No. 061-2018. Purchasing activity is undertaken in a manner that is intended to support the Town's mandate to provide effective, responsible government and efficiently deliver services to the residents of Milton.



Discussion

Information pertaining to the recommended purchasing awards is included on the corresponding Schedules (A to K) attached.

Included within this report are single source awards to each of Federal Engineering and the Town of Halton Hills for the procurement of consulting services and equipment required for the Town to be NG911 compliant within the legislated timeframe.

A single source award for the Metasys user interface building automation system software upgrade is also included in this report. The current operating system that controls the HVAC mechanical equipment is proprietary to Johnson Controls and requires an upgrade to maintain operability.

Also included is a contract renewal of the existing HCPG joint micro paving program and a contract extension of the existing animal licensing service.

Additionally, there is a contract increase of the existing system used within the Town to administer its parking enforcement program. The increase is for the implementation of license plate recognition (LPR) technology and programming changes within the parking enforcement software solution. A fully automated LPR system will create efficiencies in processes and allow quicker, more accurate and safe enforcement operations.

There are also contract increases of existing contracts with Canadian Pacific Railway (CP), related to the Fifth Line grade crossing and widening project and to the Bronte Street grade crossing and widening project. These contract increases are to account for additional services that represent final costs associated with the CP work for these projects.

Financial Impact

Financial impacts are outlined in detail on the attached Schedules A through K, and result in no net change in the total capital program, as any variances are being managed by a reallocation of existing approved budgets either within, or between, existing capital projects.

Items within this report will also result in operating impacts. As further outlined on Schedule F, the implementation of License Plate Recognition software will result in annual operating costs of approximately \$30,500 above what was budgeted in 2024. These additional costs will be accommodated through a reallocation of spending as well as an expected reduction in the contractual cost of issuing tickets due to process efficiencies resulting from the software. The purchase of a Motorola dispatch console and accessories as outlined on Schedule J will result in annual operating impacts of \$5,000 related to contributions to reserves to support future asset replacement. Although not specifically budgeted for in 2024, it is expected that the costs can be accommodated within the overall 2024 budget.



Respectfully submitted,

Glen Cowan
Chief Financial Officer / Treasurer

For questions, please contact: Sharon Telfer, Manager, Purchasing and Supply Chain Management Phone: Ext. 2138
Shirley Xie, Supervisor, Financial Reporting Phone: Ext. 2472

Attachments

- Schedule A – Reserve and Reserve Fund Transfers
- Schedule B – Budget Amendment Stormwater Master Plan
- Schedule C – Single Source Award Metasys building automation system upgrade
- Schedule D – Contract Renewal for Joint Micro Paving Program
- Schedule E – Contract Extension for Animal Licensing Services
- Schedule F – Contract Increase for License Plate Recognition Technology
- Schedule G – Contract Increase for Fifth Line - CP Rail
- Schedule H – Contract Increase for Fifth Line - CP Rail
- Schedule I – Contract Increase for Bronte Street - CP Rail
- Schedule J – Single Source Award for Motorola dispatch console and accessories
- Schedule K – Single Source Award for consulting services to implement NG911 call handling solution

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.

Summary of Changes in Capital Project Budgets and Funding

Schedule	B	B	G & H	G & H	Total Change in Funding Sources Increase / (Decrease)
Project Number	C30011824	C43000823	C34004622	C34004618	
Project Description	Rural Drainage Study	Stormwater Master Plan	Fifth Line (Hwy 401 to Derry Road)	Fifth Line (Hwy 401 to Derry Road)	
Total Approved Project Budget	\$ 311,575	\$ 602,550	\$ 20,203,693	\$ 19,403,984	
Recommended Budget Change					
Project Variance Account	(311,575)	311,575	(14,113)	35,283	21,170
Development Charges:					
Roads DC			(338,721)	317,551	(21,170)
Total Increase/(Decrease) in Funding	(311,575)	311,575	(352,834)	352,834	\$ -
Total Revised Project Budget	\$ -	\$ 914,125	\$ 19,850,859	\$ 19,756,818	

COUNCIL AUTHORITY FOR BUDGET AMENDMENT

Project Details	Budget Amendment – Rural Drainage Study and Stormwater Master Plan
Recommendation	THAT the budget for capital project C43000823 Stormwater Master Plan be increased by \$311,575 (incl. non-refundable HST) to be funded from budget in C30011824 Rural Drainage Study
Purpose of Report	As per Budget Amendment Policy No. 113 Section 4.7.2 ii Council approval is required.
Background information	<p>Capital project C43000823 – Stormwater Master Plan was approved in the 2023 budget to develop a plan to effectively manage existing stormwater infrastructure and provide recommendations for areas of improvement and accommodating future growth. Capital project C30011824 Rural Drainage Study was approved through the 2024 capital budget to complete a comprehensive drainage assessment of select rural area subdivisions. Both projects were initially funded using Town source funding.</p> <p>Given the scope in the two projects, staff are requesting that funding from the Rural Drainage Study project (C30011824) be transferred to the Stormwater Master Plan project (C43000823) in order to more efficiently manage the funds through tendering the work as one project.</p> <p>A total of \$311,575 will be transferred to capital project C43000823 from capital project C30011824. C30011824 will be closed through the 2024 June Capital Variance Report.</p> <p>The funds will continue to be used for their originally approved purposes with no change to project scope.</p>

Financial Planning Section: Budget Impact (includes non-refundable HST)

Account Number	Account Description	Total Council Approved Budget	Budget Amendment Requested	Funding Source
C30011824	Rural Drainage Study	\$311,575	(\$311,575)	Project Variance Account
C43000823	Stormwater Master Plan	\$602,550	\$311,575	Project Variance Account

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
SINGLE SOURCE AWARD**

Project Award	Single Source award for the Supply and Delivery of the Metasys User Interface Building Automation System Software Upgrade
Recommendation	Staff are recommending the single source award to Johnson Controls for the supply and delivery of the Metasys user interface building automation system software upgrade in the total amount of \$54,555 (exclusive of HST)
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Johnson Controls provides and supports Building Automation Systems (BAS) at a number of facilities;</p> <ol style="list-style-type: none"> 1. Milton Town Hall 2. Milton Operations Yard 3. Milton Fire Station One (1) 4. 555 Industrial Drive 5. Sherwood Community Centre <p>The Building Automation Systems software is proprietary to Johnson Controls, and provides control over the building systems and provides building data in a usable way to increase effectiveness and lower operational costs.</p> <p>The operating system (proprietary based software) that controls the Heating, Ventilation, And Cooling (HVAC) mechanical equipment for the above five facilities no longer supports current updates, and requires an essential upgrade to bring the system up to date to maintain operability.</p> <p>The current delivery lead-time is 60 days or sooner from receipt of order. The Town intends to have the upgrade complete by the end of Q2 in 2024.</p> <p>Staff are recommending a single source award to Johnson Controls to perform this scope of work in order to update existing software.</p>
Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C58112724-N0260-7555
Account Description	Town Hall BAS Software upgrade
Project Total Budget	\$1,187,446
Contract Budget	\$55,000

Actual

\$55,515

Variance (Note 2)

\$515 (U)

Funding Source

Reallocation of line items within the project

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: The unfavourable variance will be managed through the reallocation of other expenditure lines within the project.

COUNCIL AUTHORITY FOR CONTRACT AWARDS CONTRACT RENEWAL

Project Award	Contract No. 22-027 – Joint Micro Paving Program (HCPG Milton) – 3 rd Year of a Three (3) year contract														
Recommendation	Staff is recommending the contract for the Joint Micro Paving Program be renewed with Duncor Enterprises Inc. for the period April 1, 2024 to March 31, 2025 in the annual estimated amount of \$900,000 (exclusive of HST).														
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.														
Background information	<p>The original award resulted from a competitive HCPG Request for Tender No. 22-027 for Joint Micro Paving Program. The program is required to provide surface treatment for various roads in the Town. The contract was awarded to Duncor Enterprises Inc. for a possible three (3) year term, which was comprised of the original one (1) year award for the period April 15, 2022 to March 31, 2023, and had an option for two (2) additional one-year renewal terms.</p> <p>The first term of the contract was awarded in the total amount of \$830,878 (exclusive of HST) through PDA-024-22.</p> <p>The second term of the contract was renewed in the total amount of \$1,157,710 (exclusive of HST) through CORS-024-23.</p> <p>The annual amounts (exclusive of HST) incurred to date through the contract are:</p> <table border="1" data-bbox="634 1291 1446 1444"> <thead> <tr> <th>Period Start</th> <th>Period End</th> <th>Blanket Amount</th> <th>Actual Spend</th> </tr> </thead> <tbody> <tr> <td>Apr 15, 2022</td> <td>Mar 31, 2023</td> <td>\$830,878</td> <td>\$872,114</td> </tr> <tr> <td>Apr 1, 2023</td> <td>Mar 31, 2024</td> <td>\$1,157,710</td> <td>\$588,305*</td> </tr> </tbody> </table> <p><i>* Actual spend from Apr 1, 2023 to Feb 21, 2024. There are no scheduled work between Feb 22 and Mar 31, 2024.</i></p> <p>This contract renewal for the third and final term is requested at a total estimated amount of \$900,000 (exclusive of HST). Unit pricing from the initial and second contract terms will remain unchanged for this renewal term.</p>			Period Start	Period End	Blanket Amount	Actual Spend	Apr 15, 2022	Mar 31, 2023	\$830,878	\$872,114	Apr 1, 2023	Mar 31, 2024	\$1,157,710	\$588,305*
Period Start	Period End	Blanket Amount	Actual Spend												
Apr 15, 2022	Mar 31, 2023	\$830,878	\$872,114												
Apr 1, 2023	Mar 31, 2024	\$1,157,710	\$588,305*												
Financial Planning Section: Budget Impact (Note 1)															
Account Number(s)	C35000822-N0611-7670	C35000823-N0611-7670	C35000824-N0611-7670												

Schedule D

Account Description	Surface Treatment Program - Roadworks		
Project Total Budget	\$967,501	\$1,160,034	\$1,025,081
Contract Budget	\$237,603	\$94,898	\$692,502
Actual (Net of HST Rebate) (Note 2)	\$237,603	\$94,898	\$583,339
Variance (Note 3)	\$0	\$0	\$109,163
Funding Source	Project Variance Account		

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Contract actuals are an estimate only. Contracts against the approved budgets will be managed by the Program Area staff and will be reviewed with Financial Planning and any variances will be reported through the variance process.

Note 3: Staff has requested to keep the favorable variance in the projects for additional work that may be required for unforeseen issues.

COUNCIL AUTHORITY FOR CONTRACT AWARDS CONTRACT EXTENSION

Project Award	Contract Extension for Animal Licensing Services
Recommendation	<p>Staff is recommending a contract extension for animal licensing services to DocuPet for a three (3) year term for the period of April 1, 2024 to March 31, 2027.</p> <p>Staff are also requesting the delegated authority to award up to two (2) one-year optional renewal terms through an internal staff award report, for up to a total five-year contract.</p>
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>On CORS-007-19 Council approved an award to DocuPet for animal licensing services.</p> <p>The animal licensing services provided by DocuPet has enabled the Town to modernize pet licensing by implementing an online process, while also increasing licensing compliance and added efficiencies.</p> <p>As a result of increased community awareness and the convenience of an online process, animal licensing compliance grew by approximately 2.9% or an average of 200 pet licenses being issued each month in the first three years of this program.</p> <p>The Town will receive 100% of pet licensing revenues, minus a monthly rate of \$998 paid to DocuPet for the administration, processing and fulfilment of pet licensing. All net revenues related to pet licensing go back to the animal services program.</p> <p>The total revenue received by the Town fluctuates each year based on the volume of licenses. In 2023 the actual net revenue the Town received was \$93,435.</p> <p>Staff are recommending an extension of the animal licensing services agreement of three (3) years, plus the option to renew for a further two (2) one-year renewal terms.</p>
Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	2322-3740
Account Description	Animal Control - Contracts
Contract Budget	\$10,417
Actual (Net of HST Rebate) (Note 2)	\$9,140
Variance (Note 2)	\$1,277 (F)

Funding Source

Operating

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Actual is based on a nine-month prorated amount of the monthly rate paid to DocuPet. Spending relative to the approved budgets will be reviewed with Financial Planning and any variances reported through the variance process.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	Contract Increase for ACCEO Solutions for the implementation of License Plate Recognition (LPR) Technology
Recommendation	Staff is recommending approval to proceed with a 5 year contract value increase for ACCEO Solutions in the amount of \$225,000 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>ACCEO Solutions provides the software solution used within the Town to administer its parking enforcement program and related processes.</p> <p>Through the 2023 budget process and as recommended in Service Delivery Review Phase 2 (CORS-063-20), Council approved capital project C24012323 which provides programming enhancements and streamlined software processes within the Town's parking enforcement system, through the implementation of License Plate Recognition (LPR) technology. LPR technology utilizes vehicle-mounted cameras to take pictures of parked or stopped vehicles that are in violation of the Uniform Traffic by-law. While originally planned for implementation in 2023, Town staff worked diligently through 2023 to revisit the scope of the project and ensure the system being implemented will meet the needs of the Town and drive the benefits outlined in CORS-063-20. A fully automated LPR system will create efficiencies in processes and allow quicker, more accurate and safe enforcement operations. In addition to the implementation of LPR, there are forthcoming changes to the parking enforcement program planned for in 2024 that will result in programming changes within the parking enforcement software solution. A number of these forthcoming changes will result in one-time professional service fees/charges from the software vendor.</p> <p>Following implementation of the LPR system in year 1 (2024), the Town will enter into an additional 4 years of ongoing operational support and software maintenance costs. The estimated annual operational cost for this system in year 2 (2025) is approximately \$39,159 (exclusive of HST), which is expected to rise approximately 4% annually through to year 5 (2029). Through the 2024 budget process, \$21,000 has already been approved and set aside for the annual operating costs associated attributed to LPR.</p> <p>Council previously approved a total 2024 contract amount of \$184,860 for ACCEO Solutions through CORS-060-23 (Schedule F). As a result of the forthcoming LPR implementation and planned programming changes in 2024, staff are requesting a five year contract increase of \$225,000 (exclusive of HST) for this vendor.</p>

Financial Planning Section: Budget Impact (Note 1)		
Account Number(s)	C24012320-A0640-7140	C24012323-A0640-7140
Account Description	Mobile Parking Enforcement	Mobile Parking Enforcement
Project Total Budget	\$601,751	\$202,921
Contract Budget	\$87,633	\$196,752
Actual (Net of HST Rebate)	\$46,613	\$182,347
Variance (Note 2)	\$41,020 (F)	\$14,405 (F)
Funding Source	Project Variance Account	Project Variance Account

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: Staff has requested to keep the favorable variance in the projects budget for additional work that may be required.

Note 3: This contract commits the Town to a five year operational expense of \$39,159 (exclusive of HST) annually. This will result in an increased operating cost of approximately \$15,476 above what was budgeted for 2024. It is anticipated that this contract increase due to the introduction of net new software licenses and subscriptions, hardware warranties and annual support can be managed within the overall IT operating budget. Spending relative to the approved budgets will be reviewed with Financial Planning and any variances reported through the variance process. Increases for year 2 (2025) and onwards will be considered in future operating budget planning.

Note 4: The LPR contract will result in a fee of \$0.50 per ticket issued, or an estimated annual cost of approximately \$15,000. Although this cost was not considered within the 2024 budget it is anticipated that it will be offset by a reduction in the contractual cost of issuing tickets due to process efficiencies associated with LPR which will be considered in the development of the 2025 and futures budgets.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	CP Project Management – Fifth Line Construction CP M29.30 Galt Subdivision
Recommendation	Staff is recommending a contract increase to Canadian Pacific Railway for project management consulting services related to the Fifth Line construction project in the total amount of \$26,850 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>The current contract awarded to CP for Project Management Expenses is \$48,019 (exclusive of HST), awarded through PO 22-00133.</p> <p>This contract increase of \$26,850 (exclusive of HST) is for additional project management effort required to support the project. The complexity of the project required more dedicated hours from senior staff than was originally budgeted for in 2022. Additionally, the length of time CP had estimated at the onset of the project (12 months) has been increased due to project delays as a result of conflicts and coordination with other utilities.</p> <p>The new contract total will be \$74,869 (exclusive of HST).</p>
Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C34004618-A0611-7450
Account Description	Fifth Line (Hwy 401 to Derry Road)
Project Total Budget	\$19,403,984
Contract Budget	\$0
Actual (Net of HST Rebate)	\$27,323
Variance	\$27,323 (U) (Note 2)
Funding Source	Project Variance Account / Development Charges

Note 1: Financial impact includes any non-refundable portion of HST.

Financial impact includes any non-refundable portion of HST. Contract actuals include 3% Canadian Transportation Agency overhead fee which is standard for railway works.

Note 2: Staff recommend reallocating a portion of the contingency budget from the 2022 Fifth Line (Hwy 401 – Derry Road) project to the 2018 Fifth Line (Hwy 401 – Derry Road) project. This will result in \$352,834 of savings from C34004622 being returned to the Project Variance Account and Development Charges Reserve Fund which can be used to fund this unfavourable variance. This will ensure the Town's overall funding plan is not impacted. Both funding adjustments are included on Schedule A.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	CP M29.30 GALT Fifth Line Widening
Recommendation	Staff is recommending a contract increase to Canadian Pacific Railway for additional work required for the Fifth Line Grade Crossing and Widening in the total amount of \$319,883 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Through PDA-070-22, subsequently reported to Council through CORS-073-22, Staff proceeded with emergency work for CPM29.30 GALT Fifth Line Widening with Canadian Pacific Railway (CP) in the amount of \$938,108 (exclusive of HST). To-date, one change order has been issued in the amount of \$261,430 (exclusive of HST), awarded through PDA-078-23 and subsequently reported back to Council through CORS-056-23. The current contract total is \$1,199,538 (exclusive of HST).</p> <p>As part of the reconstruction and widening of Fifth Line from Main Street East to Derry Road, the at-grade crossing of the Canadian Pacific Railway (CP) tracks needed to be reconstructed by CP forces to suit the new alignment and road cross section of Fifth Line. The work was started during the 2023 construction season in conjunction with the current capital construction project on Fifth Line and will be completed in 2024.</p> <p>This contract increase of \$319,883 (exclusive of HST) is to account for final costs associated with the CP works. CP has noted that some works that were required to complete the crossing were missed in the project estimation by CP. CP charges for the work are based on actuals. CP has provided the appropriate backup in support of this request.</p> <p>The new contract total will be \$1,519,421 (exclusive of HST).</p>
Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C34004618-A0611-7450
Account Description	Fifth Line (Hwy 401 – Derry Road)
Project Total Budget	\$19,403,984
Contract Budget	\$0
Actual (Net of HST Rebate)	\$325,512
Variance	\$325,512 (U) (Note 2)
Funding Source	Project Variance Account / Development Charges

Schedule H

Note 1: Financial impact includes any non-refundable portion of HST. Contract actuals include 3% Canadian Transportation Agency overhead fee which is standard for railway works.

Note 2: Staff recommend reallocating a portion of the contingency budget from the 2022 Fifth Line (Hwy 401 – Derry Road) project to the 2018 Fifth Line (Hwy 401 – Derry Road) project. This will result in \$352,834 of savings from C34004622 being returned to the Project Variance Account and Development Charges Reserve Fund which can be used to fund this unfavourable variance. This will ensure the Town's overall funding plan is not impacted. Both funding adjustments are included on Schedule A.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
CONTRACT INCREASE**

Project Award	CP M32.80 GALT Bronte Street Relocation / Widening
Recommendation	Staff is recommending a contract increase for Canadian Pacific Railway for additional work required for the Bronte Street Grade Crossing and Widening in the total amount of \$156,591 (exclusive of HST).
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Through PDA-071-22, subsequently reported to Council through CORS-073-22, Staff proceed with emergency work for CPM32.80 GALT Bronte Street Relocation / Widening with Canadian Pacific Railway (CP) in the amount of \$1,205,508 (exclusive of HST). To-date, one change order has been issued in the amount of \$277,474 (exclusive of HST, awarded through CORS-028-23). The current contract total is \$1,482,982 (exclusive of HST).</p> <p>As part of the reconstruction and widening of Bronte Street from Steeles Avenue to Main Street, the at-grade crossing of the Canadian Pacific Railway (CP) tracks needed to be reconstructed by CP forces to suit the new alignment and road cross section of Bronte Street. The work was completed during 2023 construction season in conjunction with the current capital construction project on Bronte Street.</p> <p>This contract increase of \$156,591 (exclusive of HST) is to account for final costs associated with the CP works. CP has noted that some works that were required to complete the crossing were missed in the project estimation by CP. CP charges for the work are based on actuals. CP has provided an updated the appropriate backup in support of this request.</p> <p>The new contract total will be \$1,639,573 (exclusive of HST).</p>

Financial Planning Section: Budget Impact (Note 1)

Account Number(s)	C33010820-A0611-7450
Account Description	Bronte Street (Main St. to Steeles Ave)
Project Total Budget	\$28,851.226
Contract Budget	\$0
Actual (Net of HST Rebate)	\$159,347
Variance	\$159,347 (U)
Funding Source	Reallocation of line items within the project

Contract actuals include 3% Canadian Transportation Agency overhead fee which is standard for railway works.

Note 2: The unfavourable variance will be managed through the reallocation of other expenditure lines within the project.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
SINGLE SOURCE AWARD**

Project Award	Single Source award for the purchase of a Motorola MCC 7500 dispatch console and accessories
Recommendation	Staff are recommending the single source award to the Town of Halton Hills, Halton Hills Fire Service for the purchase of a Motorola MCC 7500 dispatch console and accessories in the total amount of \$50,000 (exclusive of HST)
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Milton Fire Rescue Service (MFRS) is undergoing significant technological modernization to enhance its communication capabilities in order to continue to support the needs of a growing municipality and ensure Next Generation 911 (NG911) compliance by March 4, 2025 as mandated by the Canadian Radio-television and Telecommunications Commission (CRTC).</p> <p>MFRS relies on radio communication technology to support its lifesavings and emergency response operations. The Town's current radio equipment is NG911 compatible and has proven reliable and effective in supporting daily operational imperatives. To ensure MFRS can continue to meet the operational requirements of a growing municipality, an additional radio console is required.</p> <p>Halton Hills Fire Service offers a radio console that aligns with and will seamlessly integrate into the Town's current communication infrastructure. The compatibility of this console with the Town's existing equipment minimizes transition challenges, reduces operational downtime and allows for a swift implementation of an expanded communication division with MFRS.</p> <p>Due to the age and lifecycle replacement period set by the manufacturer, the MCC 7500 dispatch console has been discontinued and can no longer be acquired new. The Town requires this make and model dispatch console to ensure proper operation and integration into existing MFRS operations and technology infrastructure. Should the Town opt to not proceed with acquisition from Halton Hills, it will be required to source a comparable model from an alternate source which may present additional operational risk to the Town as the history of the equipment and its future performance capabilities may not be fully known.</p> <p>After consideration and evaluation of available options, also taking into consideration the timeliness of implementation required, it has</p>

Schedule J

	been determined that acquisition of an MCC 7500 dispatch console from a neighbouring municipality with a known history and future performance expectation best aligns to the Town's current needs.
Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C24002723-A0410-7130
Account Description	Radio Communications
Project Total Budget	\$1,155,458
Contract Budget	\$0
Actual	\$50,880
Variance (Note 2)	\$50,880 (U)
Funding Source	Reallocation of other expenditures within the project

Note 1: Financial impact includes any non-refundable portion of HST.

Note 2: The purchase of this equipment will also result in ongoing operating expenses associated with contributions to reserves to support future asset replacement which are estimated at an annual amount of \$5,000. Although not specifically included in the 2024 budget, it is expected that these costs can be accommodated within the overall 2024 budget.

**COUNCIL AUTHORITY FOR CONTRACT AWARDS
SINGLE SOURCE AWARD**

Project Award	Single Source award for consulting services to implement NG911 call handling solution
Recommendation	Staff are recommending the single source award to Federal Engineering for consulting services to assist the Town with migration to a Next Generation 911 call handling solution in the total amount of \$112,252 (exclusive of HST)
Purpose of Report	As per Section 10.1 of Purchasing By-law No. 061-2018, Council approval is required.
Background information	<p>Milton Fire Rescue Services (MFRS) is currently developing and implementing a Next Generation 911 (NG911) call handling solution (CHS) which is a component of the critical infrastructure required in the delivery of a NG911 compliant fire communication center by March 2025.</p> <p>Federal Engineering (FE) provides consulting services for public safety organizations and has worked across North America to assist a wide range of state, provincial and local jurisdictions plan, prepare for and successfully migrate to NG911 compliant solutions. FE was awarded 21-587 (Consultant Services to Conduct a Service Delivery & Infrastructure Review for the Provision of Fire Services Communications) via competitive process in November 2021. Subsequently, a contract increase of \$66,692 was approved via PDA-092-22 (CORS-024-23) in late 2022 as the Town begun its initial design and transition towards an NG911 compliant solution. FE has been actively and intimately involved in MFRS communications and dispatch operations, including the Town's NG911 planning, since April 2022 through their previously awarded engagement. The expertise provided by FE through 2022 and into 2023 has been instrumental in the Town's ability to successfully build its current NG911 transition plan.</p> <p>MFRS will be working collaboratively with a third party to design, implement, test and migrate the Town of Milton to a fully compliant NG911 solution that operates and integrates seamlessly with the third party's current and future infrastructure. Based on the comprehensive understanding of MFRS communication and dispatching needs, coupled with FE's familiarity of the third party infrastructure, uniquely positions FE to provide invaluable insights, expertise and guidance throughout the Town's NG911 call handling solution implementation process. Their knowledge and experience will be critical to ensuring a timely and seamless NG911 transition.</p>

Financial Planning Section: Budget Impact (Note 1)	
Account Number(s)	C24002723-A0410-7290
Account Description	Radio Communications
Project Total Budget	\$1,155,458
Contract Budget	\$0
Actual	\$114,228
Variance	\$114,228 (U)
Funding Source	Reallocation of other expenditures within the project

Note 1: Financial impact includes any non-refundable portion of HST.



The Corporation of the Town of Milton

Report To: Council

From: Meaghen Reid, Director, Legislative & Legal Services/Town Clerk

Date: March 4, 2024

Report No: CORS-006-24

Subject: Procedure By-law Review

Recommendation: **THAT the Procedure By-law, included on the March 4, 2024 agenda be considered for approval.**

EXECUTIVE SUMMARY

The purpose of this report is to present Council with a comprehensive review of the Procedure By-law for housekeeping purposes. The minor amendments to the proposed by-law will provide greater clarity for definitions and language, better organization of the by-law, continued flexibility to facilitate participation in Council meetings and alignment with legislation.

REPORT

Background

The Town's current Procedure Bylaw 007-2019 was approved with the last term of Council on February 11, 2019. Since that time, this bylaw has been revised several times to accommodate legislative changes to the Municipal Act, 2001, as amended:

- Council amended the Town's Procedural By-law on March 30, 2020, May 11, 2020 and June 22, 2020 to allow for remote meetings of Council, electronic participation of delegations, as well as to set out provisions for remote meetings during and outside of a declared emergency and delegation registrations requirements.
- On August 24, 2020, the Town's Procedure By-law was further updated to allow members of Council and Committees to participate remotely in meetings (in open and closed session) and to be counted towards quorum.
- On July 19, 2021, the Town's Procedure By-law was updated to in order to incorporate a Land Acknowledgement Statement at regular or special Council meetings.

Background

Recent legislation changes have also required staff to review the Town's existing Procedure By-law and ensure that any necessary revisions are reflected in the proposed by-law. Bill 3, the Strong Mayors, Building Homes Act, 2022, received Royal Assent on September 8, 2022, and came into force on November 23, 2022. The Strong Mayor powers were extended on July 1, 2023 to 26 municipalities, including the Town of Milton. Under Part VI.1 of the Municipal Act, 2001 the Mayor has special powers and duties including submitting matters for Council's consideration, or vetoing by-laws, if the Mayor believes it will advance a prescribed Provincial Priority.

Discussion

Staff undertook a comprehensive review of the Town's Procedure By-law, including a review of the provisions of the Town's existing by-law, recent legislation changes and the best practices of comparator municipalities. The proposed amendments to the by-law consist of clarification of language used in the bylaw, addition of relevant definitions and compliance with legislation. As a result, the Town's Procedure By-law has been re-organized and revised for clarity.

The following minor revisions to the by-law are set out below:

New Definitions

The proposed by-law has updated relevant definitions such as: Inaugural meeting, In-person Participation, Livestreaming and Pecuniary Interest to reflect current practices.

Clarification of language and reorganization

Staff reviewed and revised other definitions to provide more clarity for the roles of Acting Chair and Presiding Officer, following recommendation from Staff Report [CORS-074-22](#), and to reflect current meeting practices.

Minor changes were made throughout the by-law to provide clarity on definitions such as quorum, meeting and electronic participation as part of Council meeting process. The electronic participation section of the current by-law underwent significant reorganization, including the removal of outdated paragraphs and redistribution of others to different sections of the by-law. A new section titled "Participation" was added to provide clarity and flexibility to better facilitate participation in Council meetings.

Discussion

In June 22, 2020, a new section titled “Statement by Members” was added to the Procedure By-law directly following Regional Council Update. The proposed wording that “Members are permitted only to speak once, for two minutes of speaking time to discuss community events or topics of community interest, without issuing directives to staff or requesting a staff report” aims to offer clarification regarding the intention of this portion of the meeting agenda and current practice.

New clauses

Two additional paragraphs were incorporated into the “Confidential Session” section with the intent of enhancing and upholding the confidentiality of the sessions that are closed to the public, in accordance with section 239 of the Municipal Act, 2001, as amended. To provide alignment with the Municipal Conflict of Interest Act, 1990, a new paragraph was added addressing that members who have declared a pecuniary interest regarding a matter being discussed on an agenda, and are participating electronically, shall disconnect from the electronic meeting and refrain from any involvement in discussions related to the matter.

A new clause was added to ensure that the Mayor may add an agenda item that requires Council to consider a particular matter that could advance a prescribed provincial priority, as set out in Part VI.1 of the Municipal Act, 2001.

Financial Impact

There is no financial impacts as a result of this report.

Respectfully submitted,

Troy McHarg
Commissioner, Corporate Services

For questions, please contact:
Greta Susa

Coordinator, Legislative and
Legal Services

Phone: Ext. 2164



Attachments

Appendix A - Table of Proposed Changes to Procedure By-law 007-2019

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.

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

APPENDIX A

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 1 – Definitions 1.1	“Acting Mayor” means a member who has been appointed by by-law, based on a monthly rotation, to act as the Mayor in his or her absence and to act as the Presiding Officer for the portion of the meeting not chaired by the Mayor.	“Acting Mayor” means a member who has been appointed by a resolution, based on a monthly rotation, to act as the Mayor in his or her absence.	Clarification of language to reflect current practice
PART 1 – Definitions 1.5	“Electronic Participation” means participation in a meeting from a remote location by such electronic means or service as determined and provided by the Clerk, and “participate electronically” has a corresponding meaning;	“Electronic Meeting Participation” shall mean remote participation in a meeting via electronic means, including video and telephone participation.	Clarification of language to reflect current practice
PART 1 – Definitions NEW		“Inaugural Meeting” means the first meeting of Council after a regular election.	New addition to align with legislation
PART 1 – Definitions NEW		“In-Person Participation” shall mean the participation in a meeting while being physically present at a meeting location.	New addition to reflect current practice
PART 1 – Definitions NEW		“Livestreaming” means the broadcast of a meeting in real-time	New addition to reflect current practice
PART 1 – Definitions	“Meeting” means any regular, special or other meeting of Council, as the context requires, where:	“Meeting” means any regular, special or other meeting of Council, as the context requires, with in-person and/or electronic participation, where:	Clarification of language to reflect current practice

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 1 – Definitions NEW	New clause to add	“ Pecuniary Interest ” shall mean a direct or indirect Pecuniary Interest within the meaning of the Municipal Conflict of Interest Act, R.S.O.1990, chapter M.50, as may be amended.	New addition to align with legislation
PART 1 – Definitions	“ Presiding Officer ” means the person presiding over a meeting, who may also be referred to as “Chair”.	“ Presiding Officer ” means the member of Council presiding over or acting as chair of a meeting, based on the established rotational basis, and while the Mayor or Acting Mayor is present the entire meeting. The Presiding Officer may also be referred to as “Chair.”	Clarification of language to reflect current practice
PART 1 – Definitions	“ Quorum ” is a majority of the total number of voting members currently on Council.	“ Quorum ” is a majority of the total number of voting members currently on Council whether participating in the meeting in-person or electronically.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.1.1 c	preside over a portion of Council meetings, specifically the opening, ceremonial and consent portion of the meeting, unless unavailable, in which case the Acting Mayor shall be the Presiding Officer	preside over a portion of Council meetings not presided over by the rotational Presiding Officer. Such portions of the meeting presided over by the Mayor may include the opening, announcements, amendments to the agenda and disclosures of pecuniary interest portion of the meeting.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.1.2	Only the elected Mayor shall wear the Chain of Office. save and except if the Mayor resigns his office and Council appoints a new Mayor from its own ranks.	Only the elected Mayor shall wear the Chain of Office.	Clarification of language to align with best practice

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 3 – Duties and Roles 3.1.3	When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the Municipal Act, S.O. 2001, as amended.	When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the Municipal Act, S.O. 2001, as amended. However, if the Mayor is not present for the meeting, the Acting Mayor shall be the Presiding Officer shall preside over or act as Chair for all portions of the meeting	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.3.1	The Mayor shall be the Presiding Officer at all Council meetings, as described in Section 3.1.1. (c), unless unavailable in which case the Acting Mayor shall be the Presiding Officer.	The Mayor shall be the Presiding Officer at all Council meetings, as described in Section 3.1.1. (c), unless unavailable, in which case the Presiding Officer shall be the Chair.	Clarification of language to reflect current practice
PART 3 – Duties and Roles 3.3.2	The Acting Mayor shall be the Presiding Officer for the portion of the meeting not chaired by the Mayor and this shall be based on a rotation of the members as per the Acting Mayor by-law.	The Presiding Officer shall be the Chair (or preside) over the portions of the meeting not chaired by the Mayor or all portions of the meeting in the absence of the Mayor. The Town Clerk shall maintain the list of rotating, monthly Presiding Officers (Chair) for Council meetings and revise this list, as necessary, when Members of Council express interest in having their names added and removed from the monthly rotation throughout the term of Council.	Clarification of language to reflect current practice
PART 4 – Participation New Section			New section to reflect current practice including electronic participation in meeting procedure

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 4 – Council Meetings 4.2.1	The Inaugural Meeting of Council be held at 7:00 p.m. on the first Monday following November 15, following a regular municipal election	Inaugural Meeting: means the first meeting of Council in any Council term, as defined by the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended;	Clarification of language clarification to align with legislation
PART 4 – Council Meeting 4.4 a.1	The date and times of the workshops shall be determined by Mayor and the Clerk. An agenda for each workshop shall be posted in accordance with Section 4.9.1 of this by-law. The Mayor shall act as Chair at Council workshops, unless it is determined by the Mayor that the Acting Mayor shall act as Chair.	The date and times of the workshops shall be determined by Mayor and the Clerk. An agenda for each workshop shall be posted in accordance with Section 4.9.1 of this by-law. The Mayor shall act as Chair at Council workshops, unless unavailable, rotating monthly Presiding Officer shall be Chair	Clarification of language to reflect current practice
PART 4 – Confidential Session	New clause added	Members participating electronically shall remain visible to all Members during a confidential session. To maintain the confidentiality of the session Members are required to be in a private space, when possible and utilize headsets to guarantee that the discussion remains inaudible to anyone else.	New addition to reflect best practice
Part 4 – Confidential Session	New clause added	No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio, video or photographs of any session that is closed to the public.	New addition to reflect best practice
Part 4 – Electronic Participation Section		Electronic participation section paragraphs deleted as no longer applicable or moved into other areas of the bylaw.	Deletion for housekeeping purposes

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
Part 6 – Council Agendas 6.5	New clause added	Notwithstanding 6.4, the Mayor may add an agenda item that requires Council to consider a particular matter that could advance a prescribed provincial priority.	New addition to align with legislation
PART 7 – Agenda Announcements / Amendments / Special 7.3		Upon request of the Mayor’s office, the Clerk shall place on the Council agenda, civic recognition/awards to be presented at the meeting.	Clarification of language to reflect current practice
PART 7 – Meeting Proceedings 7.4.4	New added	Pursuant to the Municipal Conflict of Interest Act, members who have declared a pecuniary interest regarding a matter being discussed on an agenda, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question. Once the matter has been dealt with by Council, the Clerk shall contact the member and invite them to rejoin the meeting.	Clarification of language to reflect current practice
PART 7 – Presentation / Delegation 7.7.2	Persons wishing to address Council shall provide a written request on the prescribed form to the Clerk no later than the day of the meeting at 10:00 a.m. The Clerk shall reject all delegation requests received after this time.	Persons wishing to address Council, by electronic means, or in person shall submit a written submission to the Clerk no later than 12:00 p.m. (noon) two days before the Meeting. If the Meeting is on a Monday, requests to delegate shall be submitted by 12:00 p.m. (noon) on the Thursday before the meeting.	Clarification of language to reflect current practice

Table of Proposed Changes to the Consolidated Procedure By-law 007-2019

Procedure Bylaw Section	Current By-law Wording	Proposed Change and or Wording	Rationale for Change
PART 7 – Statement by Members 7.10 a	Members are permitted only to speak once and are restricted to two (2) minutes of speaking time.	Members are permitted only to speak once, for two minutes of speaking time to discuss community events or topics of community interest, without issuing directives to staff or requesting a staff report.	Clarification of language to reflect current practice
PART 7 – Presiding Officer’s Announcements 7.11	<p>Members shall be permitted to provide the Clerk with a statement regarding upcoming events within the Town of Milton that they would like to bring to Council’s attention in advance of the meeting.</p> <p>The Presiding Officer shall read the list of upcoming events at the Council meeting, without discussion or debate, and such upcoming events shall not be reflected in the minutes of the meeting.</p>	Deleted	Deletion for housekeeping purposes, to reflect current practice

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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 014-2024

A BY-LAW TO PROVIDE FOR THE RULES OF ORDER OF COUNCIL AND ITS COMMITTEES, AND TO REPEAL & REPLACE BY-LAW NO. 007-2019, AND ITS AMENDING BY-LAWS, SPECIFICALLY BY-LAW NUMBERS 034-2019, 015-2020, 031-2020, 041-2020, 064-2020 & 068-2021

WHEREAS section 238, of the Municipal Act, 2001, as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings and that the by-law shall provide for public notice of meetings;

AND WHEREAS Council deems it desirous to repeal and replace By-Law No. 063-2015, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON HEREBY ENACTS AS FOLLOWS:

Short Title

This by-law shall be known as the Town of Milton Procedure By-Law.

PART 1 DEFINITIONS

In this by-law:

- 1.1** “**Acting Mayor**” means a member who has been appointed by a resolution, based on a monthly rotation, to act as the Mayor in his or her absence.
- 1.2** “**Clerk**” means the Town Clerk of The Corporation of the Town of Milton and/or designate.
- 1.3** “**Confidential Session**” means a meeting, or portion thereof, closed to the public in accordance with this by-law and the Municipal Act, 2001, as amended.
- 1.4** “**Council**” means the Council of the Corporation of The Town of Milton.
- 1.5** “**Electronic Participation**” shall mean remote participation in a meeting via electronic means, including video and telephone participation.
- 1.6** “**Improper conduct**” means conduct that obstructs in any way the deliberations and/or proper action of Council.
- 1.7** “**Inaugural Meeting**” means the first meeting of Council after a regular election.
- 1.8** “**In-person Participation**” shall mean the participation in a meeting while being physically present at a meeting location.
- 1.9** “**Livestreaming**” means the broadcast of a meeting in real-time.
- 1.10** “**Local board**” means a municipal service board, or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of the Town, excluding a school board, a conservation authority, and a public library board.
- 1.11** “**Majority**” means a number greater than half of the votes cast by persons legally entitled to vote.
- 1.12** “**Mayor**” means the Mayor as the Head of Council of the Corporation of the Town of Milton, or the Acting Mayor if the Mayor is unable to act.
- 1.13** “**Meeting**” means any regular, special or other meeting of Council, as the context requires, with in-person and/or electronic participation where:
- a) a quorum of members is present; and

b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council.

- 1.14** “**Member**” means a member of the Council of The Corporation of the Town of Milton.
- 1.15** “**Notice of motion**” means an advance notice to members of a matter on which Council will be asked to take a position.
- 1.16** “**Parties to a public hearing**” shall be the persons specified as parties by or under the statute under which the proceeding arises or, if not so specified, persons entitled by law to be parties to the proceeding.
- 1.17** “**Point of order**” means a matter that a member considers to be a departure from or contravention of the rules, procedures and/or generally accepted practices of Council.
- 1.18** “**Point of privilege**” means a matter that a member considers to question their integrity and/or the integrity of the Council.
- 1.19** “**Pecuniary Interest**” shall mean a direct or indirect Pecuniary Interest within the meaning of the Municipal Conflict of Interest Act, R.S.O.1990, chapter M.50, as may be amended.
- 1.20** “**Presiding Officer**” means the member of Council presiding over or acting as chair of a meeting, based on the established rotational basis, and while the Mayor or Acting Mayor is present the entire meeting. The Presiding Officer may also be referred to as “Chair.”
- 1.21** “**Quorum**” is a majority of the total number of voting members currently on Council whether participating in the meeting in-person or electronically.
- 1.22** “**Recorded vote**” means documenting in the minutes of a Council meeting the name of each member and their vote on a matter or question, in favour, opposed, or absent.
- 1.23** “**Regular meeting**” means a scheduled meeting held in accordance with the approved calendar/schedule of meetings.
- 1.24** “**Rules of procedure**” means the rules and regulations provided in this by- law.
- 1.25** “**Special meeting**” means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.

- 1.26** “**Special purpose committee**” means a committee established by Council to consider a specific matter which is disbanded once it has reported to Council.
- 1.27** “**Unfinished business**” means any matter listed in the meeting agenda which has not been dealt with by the adjournment hour.
- 1.28** “**Workshop**” means a meeting of Council where the purpose is for members of Council to discuss matters in an informal venue. No resolutions shall be passed at a workshop, with the exception of procedural motions.

PART 2 PRINCIPLES & APPLICATION

2.1 Members Rights

2.1.1 The following members' rights are the principles upon which the procedure by-law is based:

- a) the majority of members have the right to decide;
- b) the minority of members have the right to be heard;
- c) all members have the right to information to help make decisions, unless otherwise prevented by law;
- d) Members have a right to an efficient meeting;
- e) all members have the right to be treated with respect and courtesy; and
- f) all members have equal rights, privileges and obligations.

2.2 Application

2.2.1 The rules of procedure established in this by-law shall be observed in all proceedings of Council and shall be the rules for the order and conduct for the dispatch of business in Council.

2.2.2 Notwithstanding subsection 2.2.1, the rules and regulations contained in this by-law may be suspended by Council on a single occasion by a vote of two-thirds of the entire Council, provided the suspension does not contravene the requirements of the Municipal Act, 2001, as amended, or any other statute.

2.2.3 In the absence of adopted customized rules of procedure, all advisory, special purpose or sub-committees and local boards under the jurisdiction of the Town of Milton may use the rules of order and debate and relevant provisions of this by-law to govern the calling and proceedings of meetings.

2.2.4 The Clerk shall be responsible to interpret the rules of procedure under this by-law which shall be interpreted in accordance with the principles set out in section 2.1.

2.2.5 All points of order or procedure for which rules have not been provided in this by-law and its appendices shall be decided by the Presiding Officer in accordance, as far as is reasonably practicable, with the rules of parliamentary procedure as contained in Robert's Rules of Order.

PART 3 DUTIES & ROLES

3.1 Mayor / Acting Mayor

3.1.1 It is the duty of the Mayor to:

- a) carry out the responsibilities of his or her roles as described in the Municipal Act, 2001, as amended;
- b) represent and support Council and its decisions in all matters;
- c) preside over a portion of Council meetings not presided over by the rotational Presiding Officer. Such portions of the meeting presided over by the Mayor may include the opening, announcements, amendments to the agenda and disclosures of pecuniary interest portion of the meeting.

3.1.2 Only the elected Mayor shall wear the Chain of Office.

3.1.3 When the office of the Mayor is vacant, or when the Mayor is unable to carry out the duties of that office through illness or otherwise, or when the Mayor is absent from the office in the course of duty, or on vacation or on an approved leave, there shall be an Acting Mayor who shall have all the powers and duties of the Mayor as prescribed in the Municipal Act, S.O. 2001, as amended. However, if the Mayor is not present for the meeting, the Presiding Officer shall preside over or act as chair for all portions of the meeting.

3.2 Members

3.2.1 It is the duty of members to:

- a) carry out the responsibilities of the role of Council as described in the Municipal Act, 2001, as amended and any other Act;
- b) uphold the by-laws and policies of the Corporation of the Town of Milton;
- c) deliberate on the business submitted to Council;
- d) vote on all motions before Council unless prohibited from voting by law;
- e) observe the rules of procedure at all meetings.

3.3 Presiding Officer

3.3.1 The Mayor shall be the Presiding Officer at all Council meetings, as described in Section 3.1.1. (c), unless unavailable, in which case the Presiding Officer shall be the Chair.

3.3.2 The Presiding Officer shall be the Chair (or preside) over the portions of the meeting not chaired by the Mayor or all portions of the meeting in the absence of the Mayor. The Town Clerk shall maintain the list of rotating, monthly Presiding Officers (Chair) for Council meetings and revise this list, as necessary, when Members of Council express interest in having their names added and removed from the monthly rotation throughout the term of Council.

3.3.3 Notwithstanding Section 3.3.2, Council shall appoint a Presiding Officer to chair (preside over) the annual budget meetings for each term of Council.

3.3.4 It is the duty of the Presiding Officer to:

- a) ensure that all items of business listed on the agenda are addressed and that the meeting progresses with due efficiency;
- b) protect all rights of those attending the meeting;
- c) receive and put to a vote in the proper manner all motions presented and to announce the result;
- d) decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- e) preserve and enforce the rules of order;
- f) rule on any points of order raised by members;
- g) ensure the members abide by the rules of order when engaged in debate;
- h) call by name any member persisting in breaching the rules of order, thereby ordering such member to vacate the meeting place;
- i) expel or exclude from any meeting any person who is guilty of improper conduct at the meeting;
- j) receive all messages and other communications and announce them to Council if necessary;

- k) authenticate by signature when necessary all resolutions, by-laws and minutes;
- l) represent and support Council, declaring its will and implicitly obeying its decisions in all things;
- m) ensure that decisions of Council are in conformity with the laws governing the activities of Council;
- n) adjourn the meeting when business is concluded;
- o) adjourn the meeting without question to a time to be named by the Presiding Officer when it is not possible to maintain order.

3.4 Clerk

3.4.1 It shall be the duty of the Clerk to:

- a) be the official Secretary for Council meetings, responsible for the taking and preserving of minutes and documentation relevant to all meetings;
- b) appoint another staff member as official Secretary in his/her absence at Council meetings;
- c) assemble and produce meeting agendas and manage agenda deadlines;
- d) ensure notice of meetings is provided in accordance with the “Town of Milton Public Notice Policy”;
- e) provide procedural advice to the Presiding Officer and to members on agenda business and on preparing motions;
- f) authenticate by signature when necessary all resolutions, by-laws and minutes of meetings and certify copies of such documents when required.
- g) to revise the order of the business in the agenda and to produce, wherever possible, a revised agenda, which will be posted on the website and distributed to members electronically.

PART 4 COUNCIL MEETINGS

4.1 Meeting Participation

4.1.1 A Regular Meeting, Special Meeting, Workshop Meeting may allow for either in-person participation, electronic participation or a combination of both in-person participation and electronic participation for Members of Council, staff and public.

4.1.2 The Mayor, in consultation with the Town Clerk, shall determine the type of participation that will be permitted for a Regular Meeting, Special Meeting or Workshop Meeting.

4.1.3 For Members participating electronically, Members shall have their video cameras turned on to confirm attendance in the meeting, wherever possible.

4.1.4 Members are encouraged to notify the Clerk in advance of any Meeting for which they intend to participate electronically.

4.1.5 A member participating electronically has the same rights and responsibilities as if they were in physical attendance, including the right to vote, and shall count towards a quorum of members, and shall have the same rights and responsibilities as if the Member was in physical attendance.

4.1.6 All meetings will be livestreamed and recorded unless determined otherwise by the Clerk. Livestreaming and recording will be suspended should Council or Committee proceed into a closed session and if the meeting location does not support livestreaming recording.

4.2 Meetings Open to the Public

4.2.1 Except as provided in this by-law, all meetings shall be open to the public.

4.2.2 The Presiding Officer may expel or exclude from any meeting any person who has engaged in improper conduct at the meeting.

4.3 Inaugural Meeting of Council

4.3.1 Inaugural Meeting means the first meeting of Council in any Council term, as defined by the Municipal Elections Act, 1996, S.O. 1996, c. 32, as amended.

4.4 Regular Meetings

4.4.1 Unless otherwise decided by Council, regular meetings of Council shall be held in a Town facility commencing at 7:00 p.m. according to the schedule approved by Council.

4.4.2 The Mayor may, with appropriate notice, postpone or cancel any regular Council meeting if, in consultation with the Clerk, it has been determined that there are insufficient agenda items for the meeting or if it appears that inclement weather or like occurrence or an emergency situation will prevent the members from attending.

4.4.3 Where an item of business scheduled for an agenda may require extraordinary time provisions, the Mayor may authorize an earlier commencement time for the meeting and the Clerk shall notify all members and provide public notice accordingly.

4.5 Special Meetings

4.5.1 The Mayor may at any time call a special meeting of Council or upon receipt of a petition of the majority of members, the Clerk shall call a special meeting of Council for the purpose and at the time and date specified in the petition.

4.5.2 No business may be transacted at a special meeting other than that specified in the notice, petition and/or agenda.

4.6 Workshop Meetings

4.6.1 The date and times of the workshops shall be determined by Mayor and the Clerk. An agenda for each workshop shall be posted in accordance with Section 4.11 of this by-law. The Mayor shall act as Chair at Council workshops, unless it is determined by the Mayor that Presiding Officer shall act as Chair.

4.6.2 A record describing, in general terms, the proceedings and the subject matter discussed is made at all workshop meetings and placed on a future Council agenda to be received only for the purposes of information.

4.6.3 Should a quorum not be present at a Workshop, the workshop could continue if the majority of the Members of Council present wish to continue. The Workshop would not be considered a meeting of Council and no record of the workshop would be made.

4.7 Confidential Session Meetings

4.7.1 In accordance with the provisions of the Municipal Act, 2001, as amended, a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal or local board employees;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation affecting the municipality or local board, including matters before administrative tribunals;
- f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- g) a matter in respect of which Council has authorized a meeting to be closed under another Act;
- h) information explicitly supplied in confidence to the Town by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Town, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the Town and has monetary value or potential monetary value;
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Town;
- l) if the following conditions are both satisfied:
 - i. the meeting is held for the purpose of educating or training the members; and

- ii. at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision- making of the Council.

4.7.1.1 In accordance with the provisions of the Municipal Act, 2001, as amended, a meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- a) a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- b) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, 2001, as amended, or the investigator referred to in subsection 239.2 (1) of the Municipal Act, 2001, as amended.

4.7.2 Prior to moving into confidential session for one or more of the reasons listed in subsection 4.7.1, Council shall state by resolution:

- a) the fact that the Council is convening into confidential session; and
- b) the general nature and a brief description of the matter(s) to be considered.

4.7.3 Members shall be prohibited from discussing any additional matters during a confidential session other than those identified by resolution as required under subsection 4.7.2.

4.7.3.1 Members participating electronically shall remain visible to all Members during a confidential session. To maintain the confidentiality of the session, Members are required to be in a private space, when possible, and utilize headsets to guarantee that the discussion remains inaudible to anyone else.

4.7.3.2 No member shall use an electronic device to broadcast, record or otherwise publish or distribute audio, video or photographs of any session that is closed to the public.

4.7.4 A meeting shall not be closed to the public during the taking of a vote, except where:

- a) subsection 4.7.1 permits or requires that the meeting be in confidential session; and

b) the vote is for a procedural matter or for giving direction or instructions to officers, employees, and/or agents of the municipality and/or local board or persons retained by, or under contract to, the municipality or local board.

4.7.5 The number of times a member may speak in debate on a matter shall not be limited during confidential sessions of Council.

4.7.6 The Clerk shall advise the Presiding Officer, if in his/her opinion, the issue (or portion thereof) being discussed at a confidential session is not procedurally in accordance with the terms of the Municipal Act, 2001, as amended.

4.7.7 If the Town receives a report from a meeting investigator reporting that in his or her opinion, and the reasons for it, a meeting or part of a meeting that was the subject-matter of an investigation by that person appears to have been closed to the public contrary to section 239 of the Municipal Act, 2001, as amended, or to this By-law, Council shall pass a resolution stating how it intends to address the report.

4.8 Call to Order / Quorum

4.8.1 As soon as there is a quorum after the time set for the start of the meeting, the Presiding Officer shall call the members to order.

4.8.2 If a quorum for a meeting is not present within fifteen (15) minutes of the commencement of the meeting, the Clerk shall indicate that no quorum is present and the meeting shall stand adjourned until the next regular meeting. The Clerk shall record the names of the members present.

4.8.3 In the case where quorum is present and the intended Presiding Officer has not attended within fifteen minutes after the time appointed, the next Presiding Officer in the rotation, shall take the Chair at Council and shall call the meeting to order and preside until the arrival of the intended Presiding Officer.

4.8.4 If during the course of a meeting a quorum is lost, the Presiding Officer shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law. The Clerk shall record the names of the members present in the minutes at the time of adjournment.

4.8.5 Members are encouraged to inform the Clerk of all planned absences, late arrivals or early departures from a meeting.

4.9 Adjournment Hour

4.9.1 All meetings shall stand adjourned when the Council has completed all business as listed on the agenda, or at 11:00 p.m., whichever is earlier.

4.9.2 Where the business before Council has not been completed by the above hour, Council may pass a resolution by a vote of two-thirds of the members present to proceed beyond the hour of 11:00 p.m. to continue any unfinished business.

4.10 Notice of Meetings

4.10.1 The calendar/ schedule of meetings shall be posted to the Town website annually upon Council approval.

4.10.2 Notice of all meetings of Council, in the form of the agenda, shall be provided to members and posted to the Town website pursuant to the "Town of Milton Public Notice Policy".

4.10.3 Any addendums to the agenda will be made available to the public as soon as is practicable prior to the Council meeting by posting the addendum to the Town website.

4.10.4 All notices or other communications required or permitted to be given under this by-law shall be sufficiently given if in writing by personal delivery, or electronic mail to such party at such address as the party has designated.

4.11 Notice of Workshop Meetings

4.11.1 Notice to Council for workshops shall be through email and/or delivery of the agenda for the workshop a minimum of 48 hours in advance of the workshop which shall constitute adequate notice.

4.11.2 Public Notice of workshops shall be by way of posting on the Town's website the date, time and location, general purpose and agenda for the workshop, a minimum of 48 hours in advance of the workshop.

4.12 Order of Business at a Workshop

4.12.1 The Clerk shall prepare for the use of the Members of Council at a workshop, an agenda.

4.13 Confidential Session at a Workshop

4.13.1 A workshop may be closed to the public, provided that no Member discusses or otherwise deals with any matter in any way that materially advances the business or decision making of the Council.

4.13.1 Prior to moving into a Confidential Session, a motion must be passed stating:

- a) That this meeting be closed for the purpose of educating or training the members pursuant to Section 239, subsection 3.1 of the Municipal Act, 2001, as amended, and shall indicate the general nature of the subject matter to be discussed in the confidential session.

PART 5 RULES OF CONDUCT AND DEBATE

5.1 Conduct / Decorum

5.1.1 Members of Council shall:

- a) act in accordance with their Declaration of Office under the Municipal Act, 2001, as amended and the Council Code of Conduct;
- b) discharge with integrity all responsibilities to Council, the Town of Milton, and the public, in keeping with approved corporate policies;
- c) not speak disrespectfully of the Reigning Sovereign, any member of the Royal Family, the Governor-General, the Lieutenant Governor, the Head of the Government of Canada, or the Province of Ontario;
- d) not use offensive words or insulting expressions at any time including speaking in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- e) treat the Presiding Officer, other members, staff, and the delegates from the public with courtesy, respect and good faith;
- f) not leave his/her seat or make any noise or disturbance while a vote is being taken and until the result is declared;
- g) not criticize any decision of the Council except for the purpose of introducing a motion for reconsideration;
- h) not disobey the rules of the Council or a decision of the Presiding Officer or Council on a question of order, practice or interpretation of the rules of the Council;
- i) be encouraged to ask any relevant questions of staff prior to any meeting where an issue may be introduced or debated so that staff may be able to have appropriate information at such meeting if necessary;
- j) turn off all cell phones, and electronic devices, except those in use to facilitate the meeting, or otherwise set them so as not to emit any audible sound during a meeting.

5.1.2 Where a member has been called to order by the Presiding Officer for disregarding the rules of procedure and the member persists in such

conduct, the Presiding Officer may order such member to vacate the meeting place.

- 5.1.3 Where the member apologizes, the member may be permitted to resume his/her seat.

5.2 Speaking / Debate

- 5.2.1 Any member desiring to speak to any motion shall signify the intent in such manner as the Presiding Officer may direct, and shall refrain from speaking until the Presiding Officer has recognized him/her.

- 5.2.2 When a member has been recognized by the Presiding Officer to speak, the member may rise and shall direct his/her questions or comments to the Presiding Officer and speak only to the matter under consideration.

- 5.2.3 The Presiding Officer shall recognize the members who wish to speak in the order that they come to his/her attention.

- 5.2.4 When a member is speaking, no other member shall interrupt, except to raise a Point of privilege or Point of order.

- 5.2.5 A member shall not speak more than once to the same motion until all other members have had the opportunity to speak to the matter for the first time, except for the purpose of providing an explanation of a material part of his/her speech which may have been misunderstood and in doing so he/she shall not introduce new matters. No member shall speak to the same motion more than twice without the leave of Council.

- 5.2.6 A member shall not speak to the same motion, or in reply, for longer than five minutes, without leave of Council.

- 5.2.7 A member shall be restricted to asking questions related directly to the matter under discussion.

- 5.2.8 The Presiding Officer may answer questions and comment in a general manner but if he/she wishes to speak to the matter under discussion, he/she shall withhold his/her comments until the conclusion of the debate after all other members have had an opportunity to speak to the matter.

5.3 Public Conduct at Council Meetings

- 5.3.1 Public attendees at a Council meeting shall maintain order and quiet and shall not address Council except with the permission of Council.

- 5.3.2** No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council.
- 5.3.3** No person shall bring into the meeting cellular telephones pagers or other electronic devices which emit a sound unless such devices are turned off or otherwise set to non-audible.
- 5.3.4** No person shall use indecent, offensive or insulting language or speak disrespectfully of any member of Federal, Provincial or Regional Council, any member of Council or any employee of the Town.
- 5.3.5** Persons addressing Council in accordance with section 7.6 of this by-law shall only speak on the subject in debate and shall not speak on any other subject.
- 5.3.6** Any person who contravenes any provision of this section, may be expelled from the meeting by the Presiding Officer.

5.4 Point of Privilege

- 5.4.1** Where a member considers that the rights, integrity, character or reputation of the member, members, or Council as a whole has been impugned, the member may raise a point of privilege drawing the attention of the Council to the matter in accordance with Appendix "A".

5.5 Point of Order

- 5.5.1** Where a member considers that there has been a departure from the rules of procedure, the member may raise a point of order in accordance with Appendix "A".

PART 6 COUNCIL AGENDAS

6.1 Order of Business

6.1.1 The Clerk shall have prepared all Council agendas.

6.2 Agenda

6.2.1 When reasonably possible, agendas for Council meetings shall be made available to the public by 4:30 p.m. on the Monday prior to a meeting.

6.3 Addendum

6.3.1 The Clerk may prepare an addendum to the agenda to deal with urgent matters or provide supplementary information to items of business listed on the agenda.

6.4 No Item

6.4.1 An item of business not listed on the agenda is not permitted to be introduced at a meeting unless authorized by a two-thirds vote of the members present.

6.4.2 Notwithstanding 6.4.1, the Mayor may add an agenda item that requires Council to consider a particular matter that could advance a prescribed provincial priority.

PART 7 MEETING PROCEEDINGS

7.1 Order of Business

7.1.1 The business of Council shall be taken up in the order in which it stands on the agenda, unless otherwise decided by the Presiding Officer or Council.

7.2 Opening Procedure

7.2.1 As soon after the appointed time of the meeting that there is a quorum present, the Mayor shall take the Chair and call the members to order.

7.2.2 Every regular and special Council meeting shall commence with a moment of silent reflection, the singing of O' Canada and the traditional land acknowledgement.

7.3 Agenda Announcements / Amendments

7.3.1 The Mayor and/or the Town Clerk shall announce any amendments to the agenda.

7.3.2 Upon request of the Mayor's office, the Clerk shall place on the Council agenda special recognition announcement.

7.4 Disclosure of Pecuniary Interest & General Nature Thereof

7.4.1 It is the responsibility of each member to identify and disclose any pecuniary interest on any item or matter before the Council, in accordance with the provisions of the Conflict of Interest legislation currently in effect.

7.4.2 Where a member has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Council at which the matter is the subject of consideration, the member shall:

- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) not take part in the discussion of or vote on any question with respect to the matter; and
- c) not attempt in any way before, during and/or after the meeting to influence the voting on any such question.

7.4.3 Where a meeting is not open to the public, in addition to complying with the requirements of subsection 7.4.2, the member shall forthwith leave the

meeting for the part of the meeting during which the matter is under consideration.

7.4.3.1 Pursuant to the Municipal Conflict of Interest Act, members who have declared a pecuniary interest regarding a matter being discussed on an agenda, and are participating electronically, shall disconnect and leave the electronic meeting and not participate in any way with respect to the matter in question.

7.4.3.2 The following rules shall apply, effective March 1, 2019, if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member:

a) Despite section 7.4.2, (b) and (c), the member may take part in the discussion of the matter, including making submissions to council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting, in accordance with Section 5.2 (2) of the Municipal Conflict of Interest Act, as may be amended from time to time. However, the member is not permitted to vote on any question in respect of the matter.

b) Despite section 7.4.3, in the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration.

7.4.4 Where the interest of a member has not been disclosed by reason of his/her absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting of Council, as the case may be, attended by the member after the particular meeting.

7.4.5 The Clerk shall record the particulars of any disclosure of pecuniary interest made by the member(s) and such record shall appear in the minutes of that particular meeting.

7.4.6 At a meeting which a member discloses an interest under section 7.4, or as soon as possible afterwards,

a) the member shall file a written statement of the interest and its general nature with the Town Clerk or secretary of the committee or local board, as the case may be, in accordance with section 5.1 & 5.2 (1) of the Municipal Conflict of Interest Act, as may be amended from time to time;

- b) The Town Clerk and local board shall establish and maintain a registry in which shall be kept, a copy of each statement/declaration filed; and
- c) The registry shall be available for public inspection in the manner and during the time that the municipality or local board, as the case may be, may determine.

7.5 Consent Items

- 7.5.1** Items of business which are, in the opinion of the Clerk, generally routine in nature and would not require debate, shall be listed as consent items and may be approved collectively by a single motion.
- 7.5.2** A member may make brief comments to a consent item prior to the consideration of the adoption of the matters listed, however, if a member wishes to debate or amend the recommendation of an item; the item shall be removed from the consent list and dealt with as a separate item.
- 7.5.3** Minutes of the previous meetings of Council shall be listed as Consent items for consideration and approval.

7.6 Presentations / Delegations

- 7.6.1** The Town may request or accept requests for presentations addressing matters relevant to the Town and seeking to provide information or receive input from Council from any local board or similar authority including relevant agencies, boards, commissions as well as other levels of government and Town staff subject to the provisions outlined in this section and scheduling is approved by the Clerk.
- 7.6.2** Persons wishing to address Council, by electronic means, or in person shall submit a written submission to the Clerk no later than 12:00 p.m. (noon) two days before the Meeting. If the Meeting is on a Monday, requests to delegate shall be submitted by 12:00 p.m. (noon) on the Thursday before the meeting.
 - 7.6.2.1** Notwithstanding section 7.6.2, Council may approve delegation requests which were received after the deadline, by a majority vote of the members present at the meeting.
- 7.6.3** No delegations shall be permitted unless there is a business item listed on the agenda which the delegate has a bona fide interest in. What constitutes a business item shall be at the sole discretion of the Clerk but for clarity, business items do not include items such as special recognition, meeting

minutes, introduction of Notices of Motion, Regional Council updates and Presiding Officer's Announcements.

- 7.6.4** No delegations shall be permitted if the same business item has been previously considered by Council or if delegates have already been heard on a deferred matter.
- 7.6.5** No delegation from the public shall be permitted at a Workshop.
- 7.6.6** Persons wishing to address Council with respect to a public meeting are encouraged to provide a written request on the prescribed form to the Clerk in advance of the meeting. However, delegations will be permitted without prior registration during any public meeting as required by legislation.
- 7.6.7** Each person appearing as a delegation shall be permitted to speak only once on the topic for a maximum of five (5) minutes.
- 7.6.8** The speaking time for any delegation at Council may only be extended by majority vote of the members present.
- 7.6.9** Where there are numerous delegates wishing to address the same matter, the Presiding Officer, after consultation with the Clerk, shall have the authority to reduce the delegation speaking time limit to enable every delegate the opportunity to address Council. Multiple delegates with similar views on a business item are encouraged to select one spokesperson to present their views within the allotted time frame.
- 7.6.10** Delegations shall abide by the rules of procedure and public conduct at meetings and shall accept any decisions of the Presiding Officer and not enter into cross debate with members, other delegations or staff.
- 7.6.11** The Presiding Officer may limit any delegation, questions of a delegation and/or debate during a delegation for disorder or any other breach of this by-law and, if the Presiding Officer rules that the delegation is concluded, the person or persons appearing shall withdraw, and the decision of the Presiding Officer shall not be subject to challenge.
- 7.6.12** Any discourse between members and the delegation shall be limited to members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting their comments.
- 7.6.13** The substance of presentations and delegations will not be cited in the minutes of the meeting.

7.6.14 Any person wishing to present materials either in hard copy or electronically for distribution at the meeting shall submit a copy of the material to the Clerk by his/her deadline, or alternatively provide an adequate number of hard copies to the Clerk at the meeting.

7.7 Public Meetings / Hearings

7.7.1 The Presiding Officer shall advise of the procedures to be followed at the commencement of the public meeting or hearing.

7.7.2 During a public meeting, after all members of the public have been given an opportunity to speak to the matter under consideration, the Presiding Officer shall adjourn the public portion of the meeting and debate on the matter shall be limited to members. Staff will not respond to public comments at the meeting save and except to provide minor clarification as may be required at the discretion of staff.

7.7.2.1 A summary of the comments shall be recorded in the minutes of the meeting.

7.7.3 During a public hearing, after all parties to a public hearing have concluded their submission(s) to the matter under consideration, the Presiding Officer shall adjourn the public portion of the hearing and debate on the matter under consideration shall be limited to members.

7.7.4 All parties to a public hearing may be represented at the public hearing by a representative. Public hearings shall be limited to the parties to the hearing or their representative(s) and public delegations shall not be permitted.

7.7.5 Any party to a public hearing may call and examine witnesses, present evidence and submissions and conduct cross-examinations of witnesses at the hearing reasonably required for a full and fair disclosure of all matters relevant to the issues in the proceeding.

7.7.6 Each person appearing as a delegation shall be permitted to speak only once on the topic for a maximum of five (5) minutes.

7.8 Notices of Motion

7.8.1 Notices of Motion shall name the mover and seconder and shall be introduced at regular Council meetings in the following order:

a) Motions for debate previously introduced at a prior Council meeting.

b) Introduction of Notices of Motion.

7.8.2 Notices of Motion shall be in writing and delivered to the Clerk by the agenda deadline, to be included on the agenda for introduction. Notices of Motion shall not be discussed or debated upon introduction, but shall be included on the next regular Council meeting agenda for consideration.

7.8.2.1 Notwithstanding sections 7.8.1 and 7.8.2, Notice of Motions requesting staff reports shall go directly to Council and be considered by Council upon its introduction.

7.8.3 Where it is deemed impractical or not in the best interests of the Town of Milton to delay consideration, a Notice of Motion may be considered by Council upon its introduction by an affirmative vote of two-thirds of the members present.

7.8.4 Requests for staff reports shall be presented by members as notices of motion.

7.8.5 Where it is determined that it would be beneficial to obtain a staff report on any notice of motion prior to its consideration, members may refer such notice of motion to staff upon its introduction for report and consideration as an item of business at a future meeting.

7.9 Regional Council Update

7.9.1 Members of Halton Regional Council may present updates as to relevant business being conducted at the Region of Halton.

7.10 Statement by Members

7.10.1 Members are permitted only to speak once, for two minutes to discuss community events or topics of community interest, without issuing directives to staff or requesting a staff report.

7.11 By-laws

7.11.1 Every by-law shall be in writing and shall require only one reading prior to being passed by a majority vote of Council.

7.11.2 Unless separated at the request of a member, all by-laws proposed for adoption shall be passed collectively by a single motion.

7.11.3 Every by-law passed by Council shall signify the date of passage and be signed by the Mayor/ Acting Mayor and the Clerk and sealed with the seal of the Corporation.

7.11.4 A by-law shall be passed for each regular or special Council meeting to confirm the proceedings thereof.

7.11.5 The Clerk shall be authorized to make minor corrections to any by-law resulting from technical or typographical errors prior to the by-law being signed.

7.12 Adjournment

7.12.1 Upon completion of the agenda, the Presiding Officer shall declare a meeting adjourned.

PART 8 MINUTES

8.1 Minutes shall record:

- a) the place, date and time of meeting;
- b) the name of the Presiding Officer and the record of the attendance of the members;
- c) declarations of pecuniary interest;
- d) the motions considered and votes taken by Council; and
- e) except as provided elsewhere in this by-law, all the other decisions or authorized actions without note or comment;
- f) except as provided elsewhere in this by-law, a summary of comments shall not be recorded in the minutes.

8.2 Confidential Session minutes shall record:

- a) the place, date and time of meeting;
- b) the names of the Presiding Officer and the record of the attendance of the members and any other attendees;
- c) a description of the substantive and procedural matters discussed, including specific reference to any documents considered;
- d) any motions considered and recommendations voted on by Council in open session;
- e) all directions given.

8.3 Minutes to Next Council Meeting

8.3.1 The minutes of each Council meeting shall be presented to Council at the next regular meeting for confirmation.

8.4 Confidential Reports

8.4.1 Reports considered in confidential session shall be released to the public upon Council direction; in accordance with a legal opinion; or in conformity with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

PART 9 MOTIONS

9.1 Motions in Writing

9.1.1 Except as provided elsewhere in this by-law, all motions shall be in writing.

9.2 Procedural Motions

9.2.1 In Council, the following procedural motions may be introduced verbally, without notice and without leave, except as otherwise provided by this by-law:

- a) a point of order or privilege;
- b) to close debate;
- c) to adjourn.
- d) to suspend the rules of procedure;
- e) to table;
- f) to postpone definitely (deferral motion with a specified date/meeting);
- g) to refer;
- h) to amend;
- i) to postpone indefinitely (deferral motion without specifying a date / meeting);
- j) any other procedural motion.

9.3 Withdraw a Motion

9.3.1 The mover and seconder may withdraw a motion or a notice of motion at any time prior to it being read by the Presiding Officer.

9.4 Motion in Possession of Council

9.4.1 After a motion has been read or stated by the Presiding Officer, it shall be deemed to be in the possession of Council, but may be withdrawn by the mover and seconder at any time before being voted on with the concurrence of Council.

9.5 Motion under Consideration

9.5.1 When a motion is under consideration, no other motion shall be received except a procedural motion or a motion to amend.

9.6 Motion put to the Vote

9.6.1 After a motion has been put to vote by the Presiding Officer, no member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result has been declared.

9.7 Motion Out of Order

9.7.1 A motion regarding a matter, which is beyond the jurisdiction of the Council, shall not be in order except a matter, which, in the opinion of the majority of Council, has to do with the welfare of the citizens generally. The question of the opinion is to be decided without debate.

9.8 Descriptive Characteristics of Motions

9.8.1 Appendix "A" forms part of this by-law and shall describe the form and standard descriptive characteristics of motions commonly used in Council.

PART 10 RECONSIDERATION

10.1 Motion of Reconsideration

10.1.1 Any proposal to reconsider, amend or rescind a previous decision of Council made within its current term shall require a motion of reconsideration.

10.1.2 Notwithstanding section 10.1, any decision of Council returned to Council by the Local Planning Appeals Tribunal for reconsideration will not require a motion of reconsideration.

10.2 Motion to Reconsider a Previous Decision

10.2.1.1 A motion to reconsider a previous decision of Council made earlier in a meeting:

- a) may be presented at any time prior to the meetings' adjournment by any member who voted in the majority when the decision was made;
- b) may not be apply to a decision of indefinite postponement; and
- c) shall require an affirmative vote of the majority of the members present.

10.3 Previous Decision at Subsequent Meeting

10.3.1 A motion to reconsider a previous decision of Council at a subsequent meeting:

- a) may only be introduced by a member who was present at the meeting and who voted in the majority when the decision was made or who was not present at the meeting when the decision was made;
- b) shall be introduced as a notice of motion in accordance with section 7.8 for consideration; and
- c) shall require an affirmative vote of two-thirds vote of the members present.

10.4 Specify Scope

10.4.1 The mover of a motion to reconsider shall specify whether the reconsideration will address the entire original decision of Council or part of the original decision.

10.5 Debate

10.5.1 Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration.

10.6 Discussion

10.6.1 Discussion of the previous decision shall not be in order until the motion to reconsider has been adopted.

10.7 Next Order of Business or Postpone

10.7.1 Where the motion to reconsider is decided in the affirmative, reconsideration of the previous decision of Council shall become the next order of business unless the motion to reconsider included direction to postpone reconsideration to a definitive date.

10.8 Permitted only once

10.8.1 During the term of Council, a motion to reconsider shall not be permitted more than once with regard to a previous decision of Council nor shall a vote to reconsider be reconsidered.

PART 11 VOTING

11.1 At the Discretion of the Presiding Officer

11.1.1 The manner of determining the decision of the Council on a motion where no recorded vote is called for shall be at the discretion of the Presiding Officer, and may be by a show of hands.

11.2 Vote by Ballot or Secret Voting

11.2.1 Except as provided in the Municipal Act, 2001, as amended, no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

11.3 Order of Voting

11.3.1 Voting shall be conducted in the following order:

- a) amendment to any amending motion;
- b) upon determination of (a) above, any subsequent amendment to the amending motion;
- c) the amending motion;
- d) the main motion;

11.4 Voting on Each Recommendation

11.4.1 When the matter under consideration contains distinct recommendations or propositions, any member may request that the vote be taken separately on each recommendation or proposition and no vote shall be required to be taken on the matter as a whole.

11.5 Voting on Every Motion

11.5.1 Every member present at a meeting shall vote on every motion, unless prohibited by legislation. Failure to vote for any other reason shall be deemed to be a negative vote, except for the Presiding Officer who can exercise his/her right to abstain from voting.

11.6 Carried or Defeated

11.6.1 Except as provided elsewhere in this by-law, a motion shall be deemed to have been carried when a majority of the members present and voting

have voted in favour of the motion. Any motion upon which there is a tied vote shall be deemed to have been defeated.

11.7 Retake Vote

11.7.1 If a member disagrees with the announcement of the result of any vote, the member may object immediately to the announcement and require that the vote be retaken.

11.8 Recorded Votes

11.8.1 Any member, in Council immediately before or after a vote is taken, may require that a recorded vote be taken on the motion concerned.

11.8.2 When a recorded vote is taken, the names of those who voted in favour and those who voted against the motion shall be entered in the minutes.

11.9 Appointments

11.9.1 The voting procedure for appointing members to boards and committees shall be in accordance with the staff report dealing with the boards and committee appointments.

PART 12 GENERAL

12.1 Amendment / Repeal

12.1.1 No amendment or repeal of this by-law or any part thereof shall be considered at any meeting unless notice of the proposed amendment conforms with the provisions of the Town of Milton Public Notice Policy.

12.1.2 Bylaw 007-2019 and its amendments 034-2019, 015-2020, 031-2020, 041-2020, 064-2020, 068-2021 are hereby repealed.

12.2 Severability

12.2.1 Should any section, subsection, clause, paragraph or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this by-law as a whole or any part thereof, other than the provision so declared to be invalid.

This by-law shall take full force and effect upon final passage hereof.

PASSED IN OPEN COUNCIL ON MARCH 25, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

APPENDIX A TO BY-LAW 014-2024 - PROCEDURAL MOTIONS

1. MOTION TO ADJOURN

1.1 A Motion to adjourn:

- a) is always in order except as provided by this by-law.
- b) is not debatable.
- c) is not amendable.
- d) is not in order when a member is speaking or during the verification of the vote.
- e) is not in order immediately following the affirmative resolution of a motion to close debate; and
- f) when resulting in the negative, cannot be made again until after some proceedings have been completed by Council.

1.2 A motion to adjourn, if carried without qualification, brings a meeting or a session of Council to an end.

1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of Council to continue at such time.

2. POINT OF PRIVILEGE

2.1 A member may at any time raise a point of privilege directing attention to a matter that affects the integrity, character or reputation of an individual, individuals or the entire Council, or the ability of an individual to participate.

2.2 A point of privilege shall take precedence over any other matter.

2.3 A member shall not be permitted to enter into any debate or introduce any motion not related to the point of privilege.

2.4 The Presiding Officer shall decide upon the point of privilege and advise the members of the decision.

2.5 Unless a member immediately appeals the Presiding Officers' decision, the decision of the Presiding Officer shall be final.

2.6 If the decision of the Presiding Officer is appealed, the question “Shall the ruling of the Chair be upheld?” shall be called without debate, and its results shall be final, based on a majority vote.

2.7 When the matter has been determined to be a point of privilege, the member shall be afforded an opportunity to propose a motion in relation to that point of privilege.

3. MOTION TO TABLE

3.1 A motion to table:

a) is not debatable.

b) is not amendable.

3.2 A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.

3.3 The matter tabled shall not be considered again by Council until a motion has been made to take up the tabled matter at the same or subsequent meeting of Council.

3.4 A motion to take up a tabled matter is not subject to debate or amendment.

3.5 A motion that has been tabled at a previous meeting of Council cannot be lifted off the table unless notice thereof is given in accordance with section 7.8 of this by-law.

3.6 A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

4. MOTION TO CLOSE DEBATE (PREVIOUS QUESTION)

4.1 A motion to close debate:

a) is not debatable.

b) is not amendable.

c) cannot be moved with respect to the main motion when there is an amendment under consideration.

d) should be moved by a member who has not already debated the question.

- e) Requires a two-thirds (2/3) majority vote of members present for passage; and
- f) when resolved in the affirmative, the question is to be put forward without debate or amendment.

5. MOTION TO POSTPONE DEFINITELY

5.1 A motion to postpone definitely (to a fixed time or date):

- a) is debatable, but only as to whether a matter should be postponed and to what time.
- b) is amendable as to time and/or date.
- c) requires a majority vote of members present to pass.
- d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

6. MOTION TO REFER (TO COMMITTEE OR STAFF)

6.1 A motion to refer:

- a) is debatable.
- b) is amendable.
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

7. MOTION TO AMEND

7.1 A motion to amend:

- a) is debatable.
- b) is amendable.
- c) shall be relevant and not contrary to the principle of the report or motion under consideration.
- d) May propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue, which was the subject matter of the question.

7.2 Only one motion to amend an amendment to the main motion shall be allowed at one time.

8. MOTION TO POSTPONE INDEFINITELY

8.1 A motion to postpone indefinitely:

- a) is debatable, and debate may go into the merits of the main question, which effectively stops a motion and avoids a direct vote on the question.
- b) is not amendable.
- c) requires a majority vote.

9. POINT OF ORDER

9.1 The Presiding Officer shall decide all points of order. When a member wishes to raise a point of order, the member shall ask leave of the Presiding Officer and after leave is granted, the member shall state the point of order to the Presiding Officer, after which the Presiding Officer shall decide on the point of order. Thereafter, the member shall only address the Presiding Officer for the purpose of appealing the decision to Council. If the member does not appeal, the decision of the Presiding Officer shall be final. If the member appeals to Council, Council shall decide the question without debate and the decision shall be final.

10. MOTION TO SUSPEND THE RULES (WAIVE THE RULES)

10.1 A motion to suspend the rules:

- a) is debatable.
- b) is not amendable.
- c) requires a two-thirds majority vote to carry.
- d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 019-2024

BEING A BY-LAW TO AMEND BY-LAW NO. 1984-1, AS AMENDED, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON HIGHWAYS UNDER THE JURISDICTION OF THE TOWN OF MILTON

WHEREAS the Council of the Corporation of the Town of Milton deems it expedient to amend By-law No. 1984-1, as amended, being a By-law to regulate traffic and parking on highways under the jurisdiction of the Town of Milton;

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

1. **THAT** Schedule 1, Section 5 (3) – NO PARKING AT ANYTIME – SIGNS ON DISPLAY to By-law No. 1984-1 is amended as described in Schedule “1” to this By-law;
2. **THAT** Schedule 1, Section 5 (3) – NO PARKING AT ANYTIME – SIGNS ON DISPLAY to By-law No. 1984-1 is amended as described in Schedule “2” to this By-law;
3. **THAT** Schedule 7, Section 5 (10) – NO STOPPING FOR RESTRICTED TIMES – SIGNS ON DISPLAY to By-law No. 1984-1 is amended as described in Schedule “3” to this By-law;
4. **THAT** Schedule 23, Section 12 (1) – RATES OF SPEED – SIGNS ON DISPLAY to By-law No. 1984-1 is as amended as described in Schedule “4” to this By-law;
5. **AND THAT** this By-law shall come into full force and effect when the appropriate signs have been erected and are on display.
6. **AND FURTHER THAT** all other provisions of By-law No. 1984-1, as amended, remain in full force and effect.

PASSED IN OPEN COUNCIL ON MARCH 25th, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

Schedule "1" To By-Law No. 019-2024

**SCHEDULE "1"
NON-CONNECTING LINK
SECTION 5(3)
NO PARKING AT ANYTIME - SIGNS ON DISPLAY**

TO BE ADDED

Column 1 Highway(s)	Column 2 Location From	Column 3 Location To	Column 4 Side(s)
Dance Court	Dance Court (North Intersection)	Dance Court (South Intersection)	South, West, North
Dance Court	A point 123 meters east of Leriche Way	a point 26 meters southeasterly thereof	East
Dance Court	A point 120 meters east of Leriche Way	a point 29 meters northeasterly thereof	East
Leriche Way	Thames Circle	South limit of the road	West
Thames Circle	Trudeau Drive	Thames Circle (north intersection)	North, South, West
Thames Circle	A point 86 meters East of Trudeau Drive	a point 18 meters easterly thereof	North
Thames Circle	A point 200 meters East of Trudeau Drive	a point 35 meters southeasterly thereof	North
Thames Circle	A point 275 meters East of Trudeau Drive	a point 25 meters southeasterly thereof	South
Thames Circle	A point 48 meters North of Thames Circle (north intersection)	a point 13 meters northeasterly thereof	South
Thames Circle	A point 25 meters South of Thames Circle (north intersection)	a point 15 meters southeasterly thereof	North
Thames Circle	A point 123 meters east of Leriche Way	a point 20 meters northeasterly thereof	East
Thames Circle	A point 167 meters east of Leriche Way	a point 28 meters northwesterly thereof	East
Thames Circle	Thames Circle (North Intersection)	a point 215 meters easterly thereof	South, West, North

Schedule "2" To By-Law No. 019-2024

**SCHEDULE "1"
NON-CONNECTING LINK
SECTION 5(3)
NO PARKING AT ANYTIME - SIGNS ON DISPLAY**

TO BE DELETED

Column 1 Highway(s)	Column 2 Location From	Column 3 Location To	Column 4 Side(s)
Thames Circle	Trudeau Drive	South limit of the road	North, west, south sides

Schedule “3” To By-Law No. 019-2024

**SCHEDULE “7”
NON-CONNECTING LINK
SECTION 5(10)
NO STOPPING FOR RESTRICTED TIMES – SIGNS ON DISPLAY**

TO BE ADDED

Column 1 Highway(s)	Column 2 Location From	Column 3 Location To	Column 4 Side(s)	Column 5 Time(s)/Day(s)
Whitlock Avenue	Kennedy Circle West	Hazel Way	North	8:00 am - 5:00 pm, Monday - Friday, September 1 - June 30
Kennedy Circle West	Ash Gate	North limit of Kennedy Circle	East	8:00 am - 5:00 pm, Monday - Friday, September 1 - June 30
Kennedy Circle West	Whitlock Avenue	Magnolia Terrace	East	8:00 am - 5:00 pm, Monday - Friday, September 1 - June 30

Schedule “4” To By-Law No. 019-2024

**SCHEDULE “23”
NON-CONNECTING LINK
SECTION 12(1)
RATES OF SPEED - SIGNS ON DISPLAY**

TO BE DELETED

Column 1 Highway(s)	Column 2 Location From	Column 3 Location To	Column 4 Speed Limit
Commercial Street	Derry Road	Laurier Avenue	40 km/h September 1 - June 30 - When Flashing - 8:00 a.m. - 8:55 a.m., 11:30 a.m. - 12:35 p.m., 3:00 p.m.-3:50 p.m
Commercial Street	Derry Road	Oriole Court	40 km/h September 1 - June 30 - When Flashing - 8:00 a.m. - 8:55 a.m., 11:30 a.m. - 12:35 p.m., 3:00 p.m.-3:50 p.m
McLaughlin Avenue	Bronte Street South	Farmstead Drive	40 km/h September 1 - June 30 - When Flashing - 8:35 a.m. - 9:05 a.m., 12:10 p.m. - 1:15 p.m., 3:35 p.m.-4:05 p.m
Whitlock Avenue	Chretien Street	A point 40m east of Hinton Terrace	40 km/h September 1 - June 30 - When Flashing - 8:35 a.m. - 9:05 a.m., 12:10 p.m. - 1:10 p.m., 3:40 p.m.- 4:10 p.m

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 020-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 3, CONCESSION 1, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VALLEYGROVE ESTATES & MILTON MEADOWS PROPERTIES INC.) - FILE: HKA-01/24

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, 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 144-2003, as amended, is hereby further amended by changing the existing Open Space (OS) zone, Greenlands B (GB) zone, site-specific Low Density Residential Zone with a holding (RLD*197-H14-H15) and site-specific Business Commercial (C6*203) zone to the site-specific Low Density Residential Zone with a holding (RLD*197-H14-H15), Open Space (OS) and Greenlands B (GB) zone symbols on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by amending Section 13.1.1.201 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for the relocated heritage dwelling the following standards and provisions shall apply:

- a. Notwithstanding any provisions to the contrary, a Daycare is not permitted as a principal use or as an accessory use in the relocated heritage dwelling.
- b. Notwithstanding any provisions to the contrary, in the relocated heritage dwelling the only permitted uses are:
 - i. Art Gallery
 - ii. Art Studio
 - iii. Medical Clinic for the following health professionals only:
Chiropractor, Dietician, Massage Therapist, Naturopath,

Optician, Optometrist, Physiotherapist, Psychologist and Speech Language Pathologist

- iv. Office Use
 - v. Personal Service Shop
 - vi. Restaurant
- c. Special Site Provisions for the relocated heritage house:
- i. Notwithstanding any provisions to the contrary, waste storage facilities shall be contained within a principal building.
3. **THAT** Section 13.1.1.203 of Comprehensive Zoning By-law 144-2003, as amended, is hereby deleted in its entirety.
4. 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 MARCH 25, 2024.

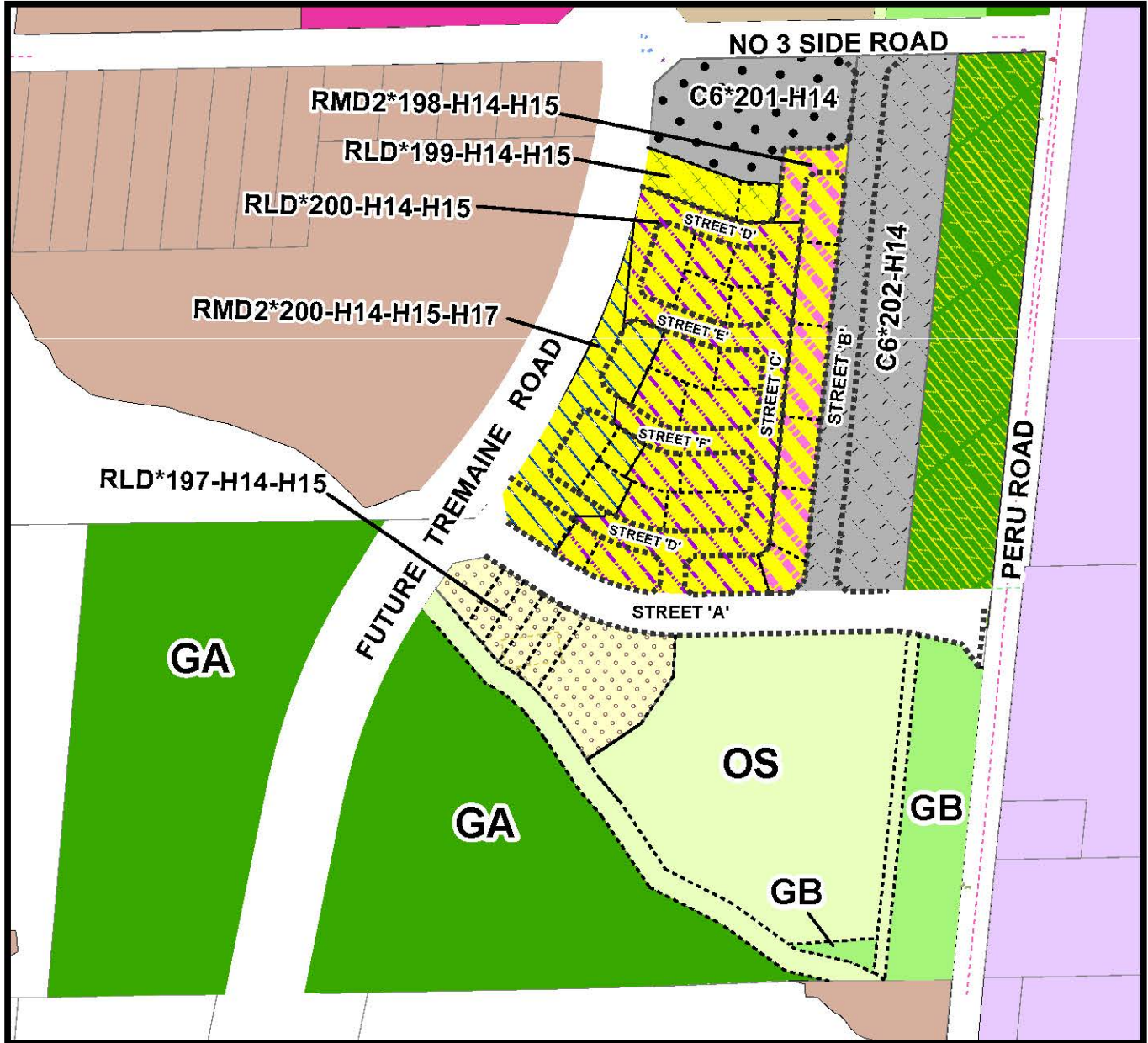
Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

**SCHEDULE A
TO BY-LAW No. 020-2024
TOWN OF MILTON**

ESQUESING CON 1 PT LOT 3 RP 20R863 PT PART 1 IRREG 50.80AC FR D

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO.020-2024 PASSED
THIS 25 DAY OF MARCH, 2024.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

- | | | | |
|--|--|--|--|
| | GA - Greenlands A Zone | | RMD2*199-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
| | GB- Greenlands B Zone | | RMD2*200-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
| | OS - Open Space Zone | | RMD2*200-H14-H15-H17 - Medium Density Residential 2 Zone Special with Holding Provisions |
| | Greenlands A Zone Special | | C6*202-H14 - Business Commercial Zone Special with Holding Provision |
| | C6*202-H14 - Business Commercial Zone Special with Holding Provision | | C6*201-H14 - Business Commercial Zone Special with Holding Provision |
| | RLD*197-H14-H15 - Low Density Residential Zone Special with Holding Provisions | | RMD2*199-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
| | RMD2*199-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions | | RMD2*200-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions |
| | RMD2*200-H14-H15 - Medium Density Residential 2 Zone Special with Holding Provisions | | RMD2*200-H14-H15-H17 - Medium Density Residential 2 Zone Special with Holding Provisions |



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 021-2024

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 12, CONCESSION 4, PART 1 ON REGISTERED PLAN 20R-3791 AND PART OF PART 3 ON REGISTERED PLAN 20R-3888, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (1000337795 Ontario Inc.) – FILE: Z-01/24

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** Section 13.1.1.120 of Comprehensive Zoning By-law 016-2014, as amended, is hereby amended to read as follows:
 - a. Notwithstanding Section 6.1 Table 6A, the only permitted uses shall be as follows:
 - i. Office
 - ii. Medical Clinic
 - b. Site Specific Provisions:
 - i. The maximum Gross Floor Area associated with Medical Clinic uses shall not exceed a cumulative total of 190 square metres on the site.
 - ii. The minimum parking required for all permitted uses on site shall be provided at a rate of 1 space per 28 square metres of Gross Floor Area.

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 MARCH 25, 2024

Gordon A. Krantz

Mayor

Meaghen Reid

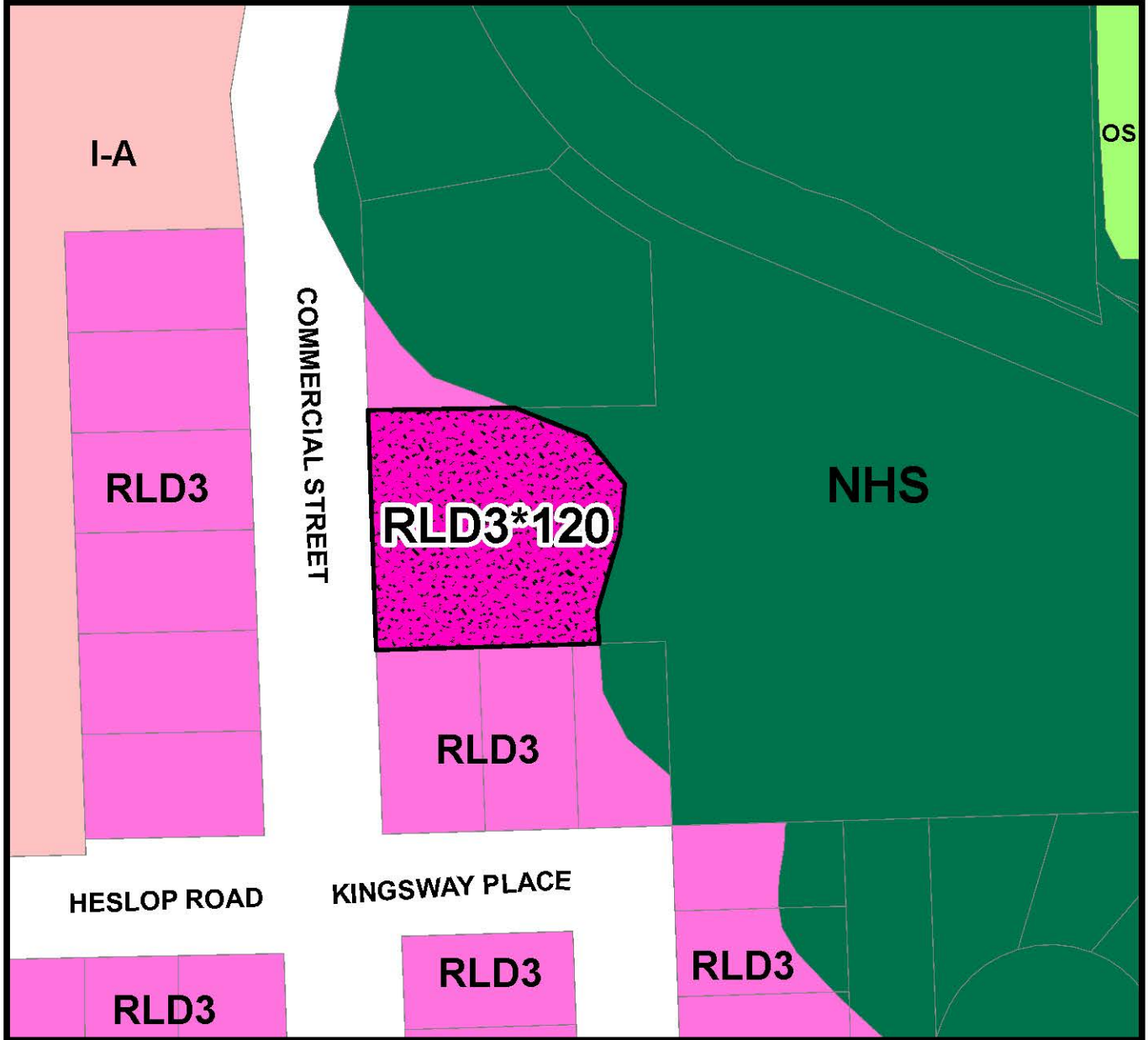
Town Clerk

SCHEDULE A
TO BY-LAW No. 021-2024

TOWN OF MILTON

245 COMMERCIAL STREET
(PART OF TOWNSHIP LOT 12, FORMER TRAFALGAR, CONCESSION 2 N.S.)

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. 021-2024 PASSED
THIS 25TH DAY OF MARCH, 2024.



Residential Low Density III
Zone (RLD3*120)

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 022-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS MUNICIPALLY IDENTIFIED AS 8350 ESQUESING LINE AND LEGALLY DESCRIBED AS PART OF LOTS 3 AND 4, CONCESSION 4, FORMER GEOGRAPHIC TOWNSHIP OF ESQUESING, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) – FILE: LOPA-09/21

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. Amendment No. 79 to the Official Plan of the Town of Milton, to amend policies 4.11.3.42 (g) and (h) and Schedules 1, A, B, D, D1, D2, E, G, H, I, I1, K, L, M, N, O, O-1, P, C.2.A, C.2.B and Appendix C.6.C of the Town of Milton Official Plan to expand the Urban Area and Milton 401 Industrial/Business Park Secondary Plan area on the lands located at 8350 Esquesing Line, and legally described as Part of Lots 3 and 4, Concession 4, Town of Milton, consisting of the attached maps and explanatory text, is hereby adopted.
2. Pursuant to Subsection 17(27) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24) and (25). Where one or more appeals have been filed under Subsection 17 (24) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. 79 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON MARCH 25, 2024

Gordon A. Krantz Mayor

Meaghan Reid Town Clerk

AMENDMENT NUMBER 79

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

**PART 2 THE AMENDMENT, consisting of the following text constitutes
Amendment No. 79 to the Official Plan of the Town of Milton**

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 79
To the Official Plan of the Town of Milton
8350 Esquesing Line
Part Lots 3 and 4, Concession 4, Former Geographic Township of Esquesing
(Town File: LOPA-09/21)

PURPOSE OF THE AMENDMENT

The purpose of the amendment is to incorporate revisions to various sections and schedules of the Town of Milton Official Plan and the Milton 401 Industrial/Business Park Secondary Plan. The amendment includes expanding the boundary of the Urban Area and the Milton 401 Industrial/Business Park Secondary Plan area to include approximately 14.25 hectares (35.21 acres) of additional land. The amendment also includes changes to the existing Special Policy Area No. 42 including additional permitted uses in the Industrial Area and Business Commercial Area designations.

LOCATION OF THE AMENDMENT

The subject property is located at 8350 Esquesing Line and is legally described as Part of Lots 3 and 4, Concession 4, Former Township of Esquesing, Town of Milton. The subject property is 106.13 hectares (262.25 acres) bound by the Greenbelt Plan area to the north, Boston Church Road to the west, Esquesing Line to the east and the Hydro One corridor abutting James Snow Parkway to the south.

Approximately 74 hectares (182 acres) is currently within the Town's Urban Area and designated Industrial Area. This amendment proposes to expand the Urban Area boundary to include approximately 14.25 hectares (35.21 acres) of the subject property.

BASIS OF THE AMENDMENT

Halton Region Official Plan Amendment No. 38 (ROPA 38) established the Town of Milton Urban Area intended to accommodate population and employment growth for the planning period of 2021 to 2031. Through ROPA 38, approximately 74 hectares (182 acres) of the subject property was included in the Urban Area and designated Employment Area. On August 23, 2021, the Town of Milton approved Official Plan Amendment No. 67 (OPA 67) to implement ROPA 38 at the local level and include policies in the Town's Official Plan to guide future development in a comprehensive manner.

The current Urban Area limit falls short of including all lands that are within the Provincially Significant Employment Zone (PSEZ) as mapped by the Province and as a result excluded a portion of the subject property (northern sliver lands) that is proposed for future employment growth, consistent with the PSEZ area.

On June 15, 2022, Halton Region approved Regional Official Plan Amendment No. 52 (ROPA 52) which had the effect of bringing the northern sliver lands into the Urban Area in a manner that is consistent with the PSEZ area as well as Provincial and Regional growth plan objectives and policy directives.

The purpose of this amendment is to implement ROPA 52 to expand the Urban Area limit to include the northern sliver lands in order to facilitate the development of employment uses on the subject property. The northern sliver lands comprise an area of approximately 14.25 hectares (35.21 acres) of which approximately 6.26 ha (15.47 acres) of land is Urban Area and will be designated Industrial Area for employment uses while the balance of approximately 7.99 ha (19.74 acres) will be designated Natural Heritage System. The area within the Natural Heritage System includes a realigned watercourse, channel, woodlot and woodlot buffer. The portion of the northern sliver lands that will be designated Natural Heritage System will be protected and no development will be permitted in this area.

In addition to the above, the amendment expands the boundary of the Milton 401 Industrial/Business Park Secondary Plan area to include the northern sliver lands. The amendment also proposes to amend Special Policy Area No. 42, which includes the subject property, in the Town's Official Plan to include new permitted uses in the Industrial Area designation and Business Commercial Area designation on the subject property.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 79 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. 79, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

- 1.0 Map Changes
 - 1.1 Amending Schedule “1 – Town Structure Plan” is hereby amended by designating the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, from "Agricultural Area” and “Natural Heritage System” to "Urban Area”, “Employment Area” overlay and “Natural Heritage System”, as shown on Schedule ‘1’, attached hereto.
 - 1.2 Schedule “A – Rural Land Use Plan” is hereby amended by re-designating the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, from "Agricultural Area” and “Natural Heritage System” to "Urban Area” and “Natural Heritage System”, as shown on Schedule ‘2’, attached hereto.
 - 1.3 Schedule “B – Urban Area Land Use Plan” is hereby amended by expanding the “Urban Area” and the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified in red hatch on Diagram ‘1’ attached to and forming part of this amendment, and by designating these lands as “Industrial Area” and “Natural Heritage System”, as shown on Schedule ‘3’, attached hereto.
 - 1.4 Schedule “D – Urban Area Planning Districts, Character Area and Community Improvement Area” is hereby amended by expanding the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified on Diagram ‘1’, attached to and forming part of this amendment, and designating these lands “Urban Area”, as shown on Schedule ‘4’, attached hereto.
 - 1.5 Schedule “D1 – Urban and Rural Districts” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’ attached to and forming part of this amendment, as shown on Schedule ‘5’, attached hereto.
 - 1.6 Schedule “D2 – Urban Districts and Neighbourhoods” is hereby amended by expanding the Milton 401 Industrial/Business Park Secondary Plan area boundary to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘6’, attached hereto.

- 1.7 Schedule “E – Transportation Plan” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘7’, attached hereto.
- 1.8 Schedule “G – Known Landfill Sites” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘8’, attached hereto.
- 1.9 Schedule “H – Phasing of Urban Expansion” is hereby amended by expanding the “Non-Residential Phase 1” boundary and expanding the “Future Growth Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘9’, attached hereto.
- 1.10 Schedule “I – Rural Area Special Policy Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘10’, attached hereto.
- 1.11 Schedule “11 – Urban Area Specific Policy Areas” is hereby amended by expanding the “Urban Area” and expanding the “Special Policy Area No. 42” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘11’, attached hereto.
- 1.12 Schedule “K – Strategic Growth Areas” is hereby amended by expanding the “Urban Area” and expanding the “SHP Urban Area Boundary” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘12’, attached hereto.
- 1.13 Schedule “L – Municipal Wellhead Protection Zones” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘13’, attached hereto.
- 1.14 Schedule “M – Key Features within the Greenbelt and Natural Heritage System” is hereby amended by adding to the “Natural Heritage System and Enhancement Area” and expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘14’, attached hereto.
- 1.15 Schedule “N – Future Strategic Employment Areas” is hereby amended by expanding the “Employment Area” boundary and expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘15’, attached hereto.

- 1.16 Schedule “O – Agricultural System and Settlement Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘16’, attached hereto.
- 1.17 Schedule “O-1 – Provincial Agricultural Land Base Mapping Areas of Difference” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘17’, attached hereto.
- 1.18 Schedule “P – Identified Mineral Resource Areas and Mineral Extraction Areas” is hereby amended by expanding the “Urban Area” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘18’, attached hereto.
- 1.19 Schedule “C.2.A – Milton 401 Industrial/Business Park Secondary Plan: Structure Plan” is hereby amended by adding to the “Natural Heritage System” and expanding the “Secondary Plan Boundary” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘19’, attached hereto.
- 1.20 Schedule “C.2.B – Milton 401 Industrial/Business Park Secondary Plan: Land Use Plan” is hereby amended by expanding the “Industrial Area”, adding to the “Natural Heritage System” and expanding the “Secondary Plan” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘20’, attached hereto.
- 1.21 Appendix “C.6.C – Subwatershed Areas 2 and 7” is hereby amended by expanding the “401 Industrial/Business Park” to include the lands identified in red hatch on Diagram ‘1’, attached to and forming part of this amendment, as shown on Schedule ‘21’, attached hereto.
- 2.0 Text Change (Additions are shown in red underline and deletions are shown in yellow strikethrough).

No.	Section No.	Modification
	4.11	<i>Specific Policy Areas</i>
1.	Special Policy Area 42 - Section 4.11.3.42 g)	Is modified to read as follows: “g) Subject to a Heritage Easement Agreement approved by the Town, the James Snow farmhouse at 8350 Esquesing Line may be relocated on the lands designated Business Commercial Area on the west side of Esquesing Line and north of the North Hydro Corridor.

No.	Section No.	Modification
		Notwithstanding Section 3.7.6.2 of this Plan, the only permitted uses on these lands shall be business and professional offices, <u>a standalone restaurant</u> and service commercial uses.”
2	Special Policy Area 42 - Section 4.11.3.42 h)	New subsection as follows: <u>“h) In addition to the uses permitted in the Industrial Area designation, the lands identified as Special Policy Area No. 42 on Schedule I1 of this Plan, being 8350 Esquesing Line, Part of Lots 3 and 4, Concession 4, a Broadcasting/Communication Facility use shall also be permitted.”</u>

End of text

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 023-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT, AS AMENDED, TO REMOVE LANDS FROM THE RURAL ZONING BY-LAW IN RESPECT OF THE LANDS AS DEPICTED ON FIGURE 1: ZONING CONTEXT MAP AND TO REZONE LANDS IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOTS 3 AND 4, CONCESSION 4 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) – FILES: LOPA-09/21, Z-26/21 AND 24T-21007/M

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, as amended;

AND WHEREAS the lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 79 taking full effect;

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

1. THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby repealed as it applies to lands identified as 'Subject Area' as shown on 'Figure 1' attached hereto.
2. THAT Schedule A to Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by removing the lands identified as 'Subject Area' as shown on 'Figure 1' attached hereto.
3. THAT Schedule A to comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by changing the existing Agricultural (A1) and Greenlands A (GA) zone symbols to the Greenlands A (GA) and Greenlands B (GB) zone symbols on the land shown on Schedule A attached hereto.
4. 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 MARCH 25, 2024.

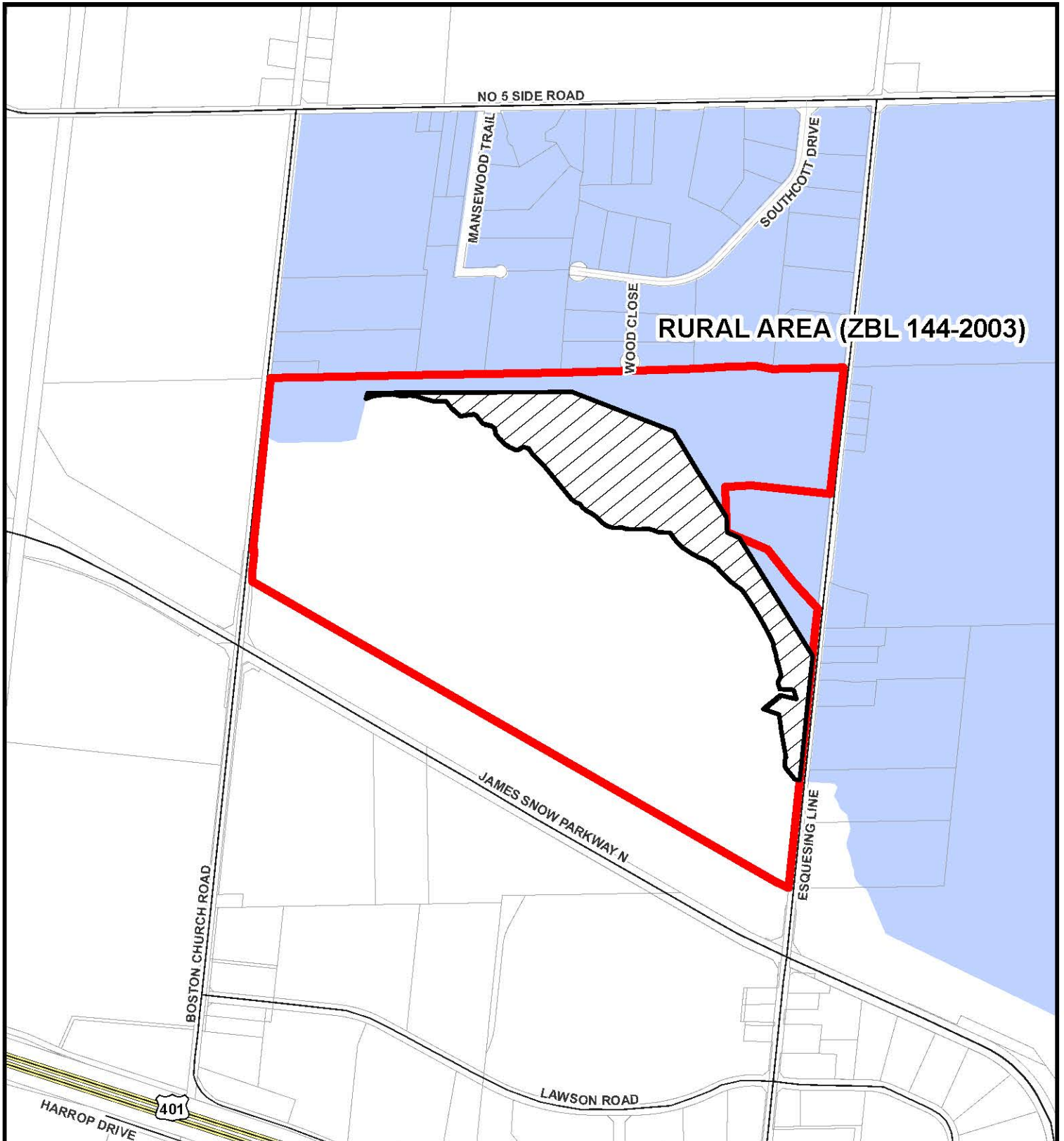
Gordon A. Krantz

Mayor

Meaghen Reid

Town Clerk

FIGURE 1 ZONING CONTEXT MAP



Council Meeting Date:
March 25th, 2024

Scale: 1: 12,254

Files: LOPA-09/21, Z-26/21
& 24T-21007/M

Development Services Department



Subject Area removed from ZBL 144-2003, as amended

Page 492 of 512

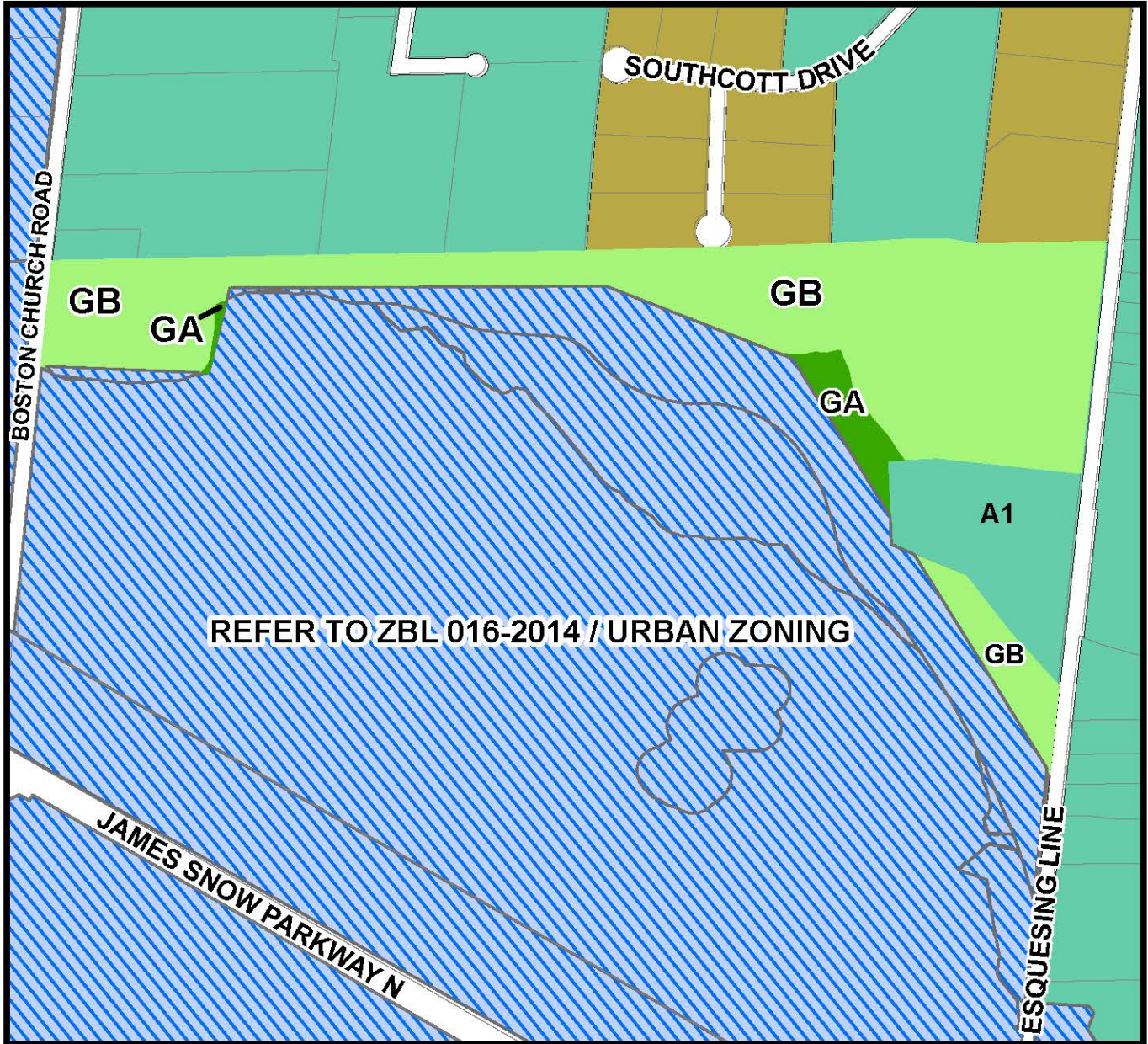
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Page 3 of 4 of By-law No. 023-2024

**SCHEDULE A
TO BY-LAW No. 023-2024
TOWN OF MILTON**

8350 Esquesing Line
PART OF LOT 3 AND 4, CONCESSION 4,
TOWNSHIP OF ESQUESING REGIONAL MUNICIPALITY OF HALTON

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. 023-2024 PASSED
THIS 25TH DAY OF MARCH, 2024.

- GA - Greenlands A Zone
- GB - Greenlands B Zone

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 024-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, TO ADD LANDS INTO THE URBAN ZONING BY-LAW AS DEPICTED ON FIGURE 1: ZONING CONTEXT MAP AND REZONE LANDS IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOTS 3 & 4, CONCESSION 4 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (ORLANDO CORPORATION) – FILES: LOPA-09/21, Z-26/21 AND 24T-21007/M

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 lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 79 taking full effect;

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

1. **THAT** Comprehensive Zoning By-law 016-2014, as amended, is hereby amended by adding the lands identified as ‘Subject Area’ as shown on ‘Figure 1’ attached hereto.
2. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) zone symbols to a site-specific General Industrial (M2*343), site-specific Business Commercial (C6*344), Open Space (OS), Open Space – 2 (OS-2) and Natural Heritage System (NHS) zone symbols on the land shown on Schedule A attached hereto.
3. **THAT** Section 3 (Definitions) is amended by adding the following new definitions:
 - a. “BROADCASTING/COMMUNICATION FACILITY shall mean a building, structure or premises, used for broadcasting purposes including transmitting and receiving devices and may include film and/or TV production or studio.”
 - b. “COURIER/MESSENGER SERVICE shall mean a building used by a courier services where goods, packages, merchandise, articles, or things are received by transport truck and are sorted and/or transferred to delivery vehicles for a local distribution and vice versa, but shall not include a Transportation Terminal.”

4. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.343 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the General Industrial (M2*343) zone the following standards and provisions shall apply:

- a. Notwithstanding Section 8.1 – Table 8A Permitted Uses, the following additional uses shall be permitted:
 - i. Broadcasting/Communication Facility
 - ii. Courier/Messenger Service
 - iii. Wholesale Operation
 - b. Special Site Provisions
 - i. Notwithstanding Footnote (*7) to Table 8A associated with an Industrial Use or Wholesale Operation Use, up to a maximum of 15% of the gross floor area of the principle use or 750 m², whichever is less, may be used for the retail sale of goods or products produced on the premises.
 - ii. Notwithstanding any provision to the contrary, Footnote (*8) to Table 8A shall not apply.
 - iii. Notwithstanding Footnote (*9) to Table 8A, an office use accessory to a principle use shall be limited to 49% of the gross floor area.
 - iv. Notwithstanding Table 5L, a minimum parking area setback to a street line in an Employment Zone shall be 3.0 metres.
 - v. Notwithstanding Table 8B, a minimum landscape buffer abutting a street line shall be 3.0 metres.
 - vi. Notwithstanding Section 5.1 iv) and vii) to the contrary, tandem truck trailer parking shall be permitted.
 - vii. Notwithstanding Table 8B, the maximum building height shall be 35.0 metres.
5. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.344 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the Business Commercial (C6*344) zone the following standards and provisions shall apply:

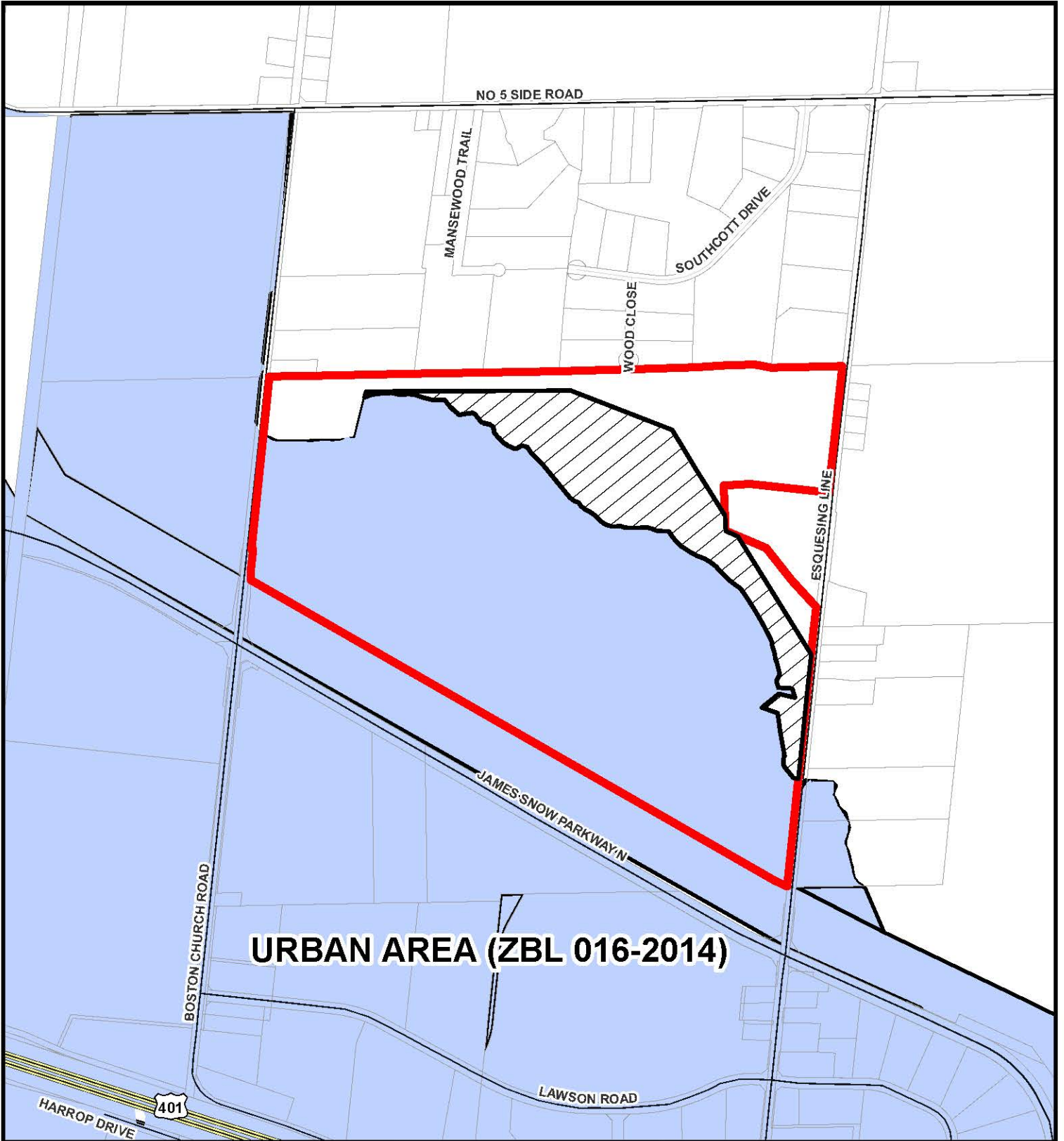
- a. Notwithstanding Section 7.1 – Table 7B Permitted Uses, the following additional use shall be permitted:
 - i. Service and Repair Shop
 - b. Special Site Provisions
 - i. Notwithstanding Section 7.1 – Table 7D, the maximum lot area shall be 4,300 square metres (1.06 acres).
6. If no appeal is filed 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 MARCH 25, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

FIGURE 1 ZONING CONTEXT MAP



Council Meeting Date:
March 25th, 2024

Scale: 1: 12,254

Files: LOPA-09/21, Z-26/21
& 24T-21007/M

Development Services Department



Subject Area added to ZBL 016-2014, as amended

Page 497 of 512

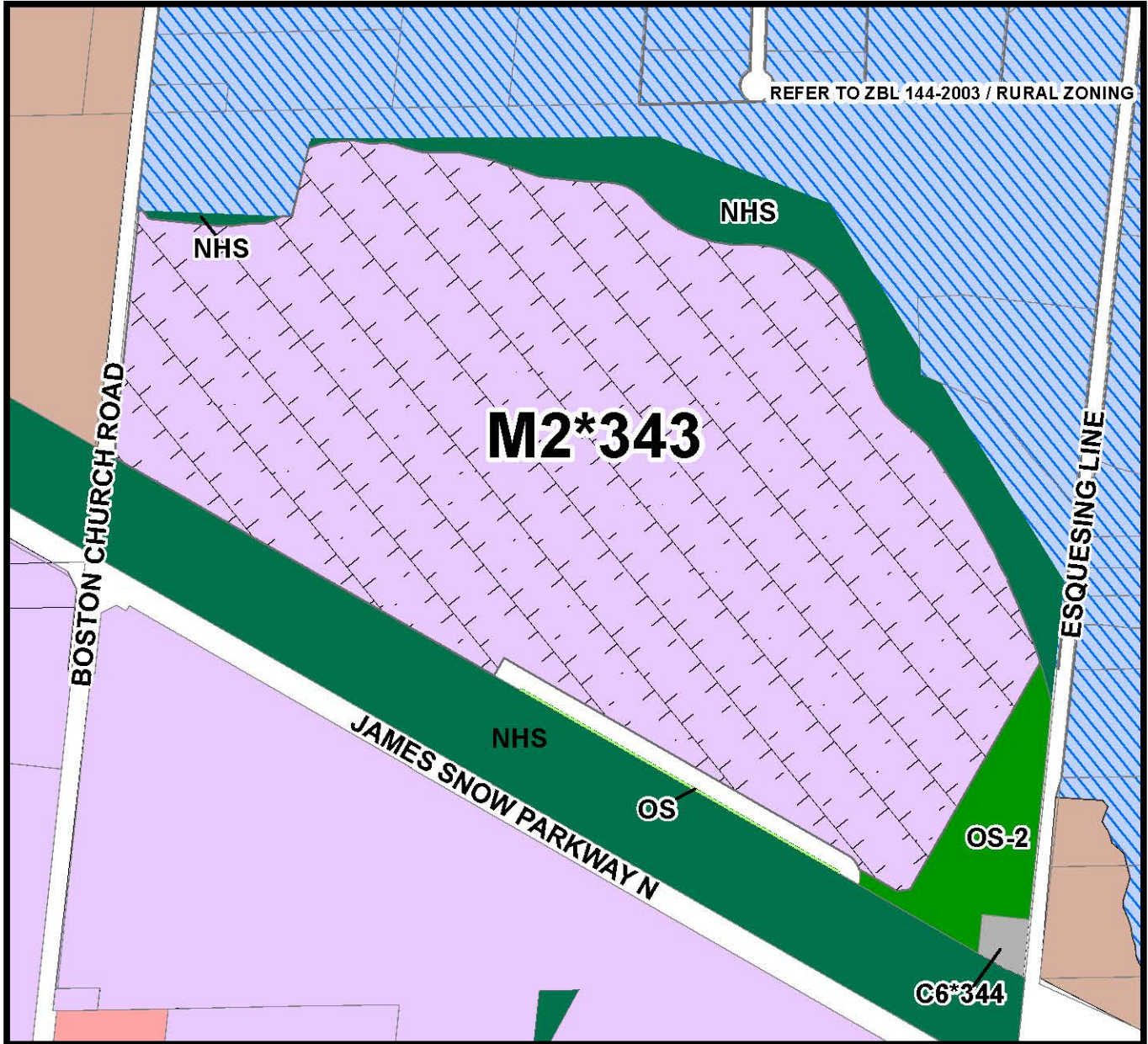
Copyright 2024: Town of Milton, Teranet Inc.

Page 4 of 5 of By-law No. 024-2024

**SCHEDULE A
TO BY-LAW No. 024-2024
TOWN OF MILTON**

8350 Esquesing Line
PART OF LOT 3 AND 4, CONCESSION 4,
TOWNSHIP OF ESQUESING REGIONAL MUNICIPALITY OF HALTON

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO.024-2024 PASSED
THIS 25TH DAY OF MARCH, 2024.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  C6*344 - Business Commercial Zone Special
-  M2*343 - General Industrial Zone Special
-  OS - Open Space Zone
-  OS-2 - Open Space - Storm Water Management Zone
-  NHS - Natural Heritage System
-  Refer to ZBL 144-2003, as amended



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 025-2024

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT*, AS AMENDED, IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 5, CONCESSION 3 (ESQUESING), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HEARTLAND (SEVEN) LIMITED AND QUARRE PROPERTIES INC. (ORLANDO CORPORATION)) – FILES: Z-27/21 AND 24T-21008/M

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

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 General Industrial (M2*345) zone and Natural Heritage System (NHS) zone symbols on the land shown on Schedule A attached hereto.
2. **THAT** Section 3 (Definitions) is amended by adding the following new definition:
 - a. “COURIER/MESSENGER SERVICE shall mean a building used by a courier services where goods, packages, merchandise, articles, or things are received by transport truck and are sorted and/or transferred to delivery vehicles for a local distribution and vice versa, but shall not include a Transportation Terminal.”
3. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.345 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands in the General Industrial (M2*345) zone the following standards and provisions shall apply:

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

- i. Stormwater Management Facility
- ii. Courier/Messenger Service
- iii. Wholesale Operation

b. Special Site Provisions

- i. Notwithstanding Footnote (*7) to Table 8A associated with an Industrial Use or Wholesale Operation Use, up to a maximum of 15% of the gross floor area of the principle use or 750 m², whichever is less, may be used for the retail sale of goods or products produced on the premises.
 - ii. Notwithstanding any provision to the contrary, Footnote (*8) to Table 8A shall not apply.
 - iii. Notwithstanding Footnote (*9) to Table 8A, an office use accessory to a principle use shall be limited to 49% of the gross floor area.
 - iv. Notwithstanding Table 5L, a minimum parking area setback to a street line in an Employment Zone shall be 3.0 metres.
 - v. Notwithstanding Table 8B, a minimum landscape buffer abutting a street line shall be 3.0 metres.
 - vi. Notwithstanding Section 5.1 iv) and vii) to the contrary, tandem truck trailer parking shall be permitted.
 - vii. Notwithstanding Table 8B, the maximum building height shall be 35.0 metres.
4. 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 MARCH 25, 2024.

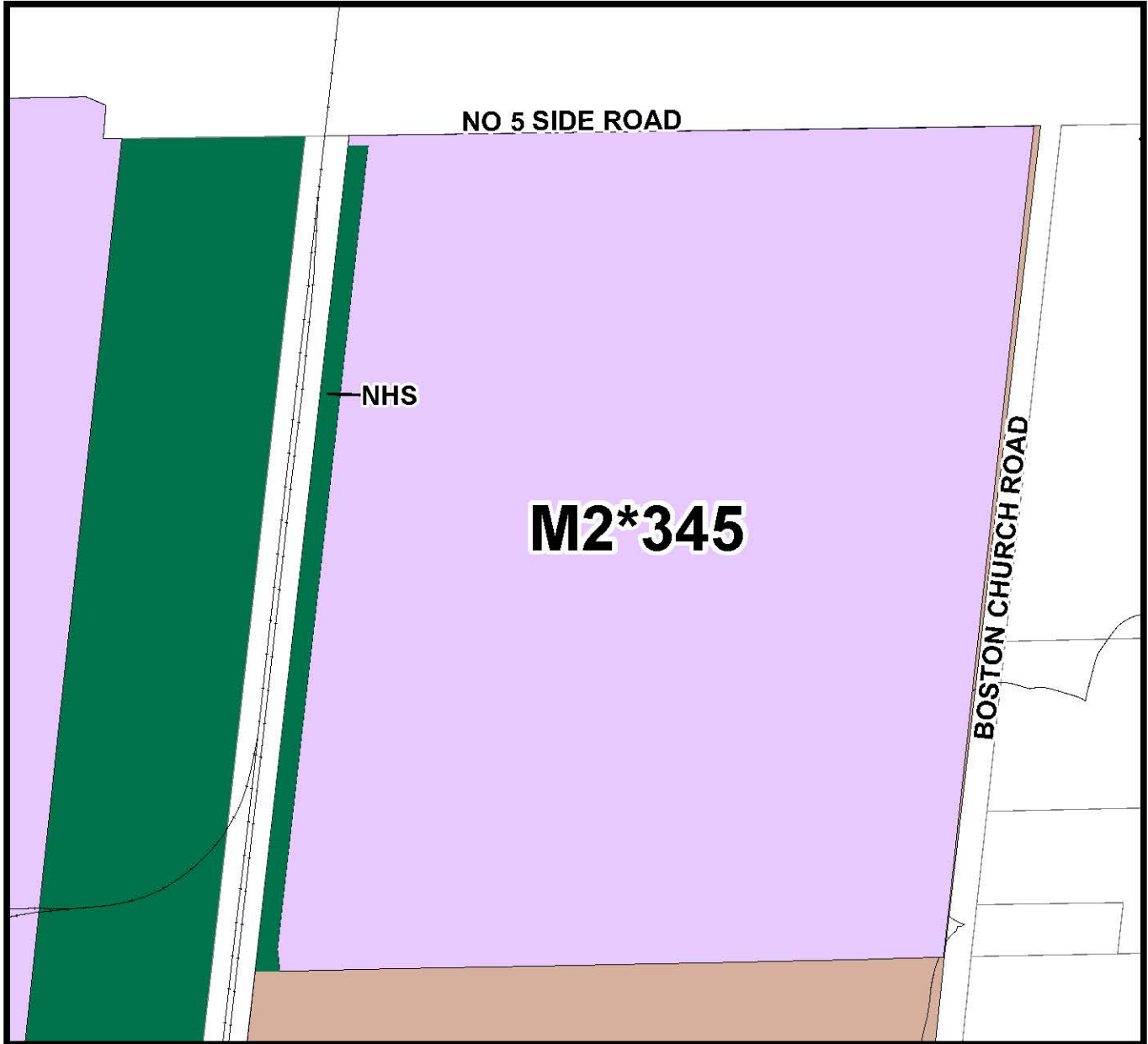
Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE A
TO BY-LAW No. 025-2024
TOWN OF MILTON

8802, 8820, 8830, 8872, and 8880 Boston Church Road
ESQUESING CON 3 ESQ PT LOT 5 AND RP 20R16815 PART 1 IRREG 76.01AC FR D

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO.025-2024 PASSED
THIS 25TH DAY OF MARCH, 2024.

 M2*345 - General Industrial Zone Special

 NHS - Natural Heritage System

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 026-2024

BEING A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 71 MILL STREET, TOWN OF MILTON AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0. 18, as amended, authorizes the Council of a municipality to enact by-law to designate real property including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council or the Corporation of the Town of Milton has caused to be served on the owners of the lands and premises known as, 71 Mill Street in the Town of Milton and upon the Ontario Heritage Foundation, Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in the Town website having general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule 'B' attached hereto;

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

1. **THAT** there is designated as being of cultural heritage value or interest, the real property known as the building located at 71 Mill Street, Milton, and legally described in Schedule A' attached hereto.
2. **THAT** the municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A', attached hereto, in the proper Land Registry Office;
3. **THAT** the Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality.

PASSED IN OPEN COUNCIL ON MARCH 25, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE 'A' to BY-LAW NO. 026-2024

Legal Description

LT 21, BLK 3, PL 6; TOWN OF MILTON

SCHEDULE 'B' to BY-LAW NO. 026-2024

Description of Property

71 Mill Street is a two-story, single-detached brick house that represents the popular Four Square architectural style with a wraparound verandah. A double garage, 4-season sunroom, back veranda that mirror the front verandah, updated wiring, new kitchen, and a new library/dining room were added to the original house.

Historical or Associative Value

John Martin registered the survey, where 71 Mill Street is located, in 1857. According to the local paper Canadian Champion, Thomas D. Hume built his new brick home on Mill Street in December 1905. Thomas Hume was born in 1868 on the family farm in Nelson Township, County of Halton. He was one of nine children born to George and Jane (Robertson) Hume, who had come from Scotland in 1849. He also owned 150 to 158 Main Street, the Hume Block.

Of historical note is that Mr. Hume opened the first moving picture theatre in Milton in 1912 at 156 Main Street, the Princess Theatre, later named Roxy Theatre. The frame buildings burned down just before Christmas in 1915. It was replaced in 1916 with a brick building. Thomas served on the Town Council and the Town Housing Commission. He was a member of St. Clair Masonic Lodge, Knox Presbyterian Church, and Milton Golf and Country Club president. In 1907, Thomas began construction on another home at 83 Victoria Street, where the Hume family later resided.

The property was sold to Victor Chisholm, a lawyer, in 1908. He began his law practice in Milton. In 1883, he became the partner of J. W. Elliot. Victor was appointed the Land Registrar for Halton County in 1913.

The property was sold to Dr. George Alfred King, a dentist who practices in Milton, serving the community for 41 years. His dental business was on the second floor of the Thompson House on Main Street. George also served on the Milton Council, the Milton and District High School Board and as an Elder at St. Paul's United Church. He served 32 years as the Clerk of the session. Dr. King was a member of the Milton Lawn Bowling Club, Milton Curling Club, and St. Clair Masonic Lodge. He passed away in 1976.

Physical or Design Value

Physically, this two-storey terra cotta brick house was built in 1905 by Thomas Hume. It is an excellent example of an Edwardian Foursquare style of architecture featuring a square floor plan with four rooms on both the first and second floors. The box-like massing with a large gable dormer on one side of the roof houses a generous attic. The bricks from this house are likely from the local Milton brickworks. The generous

verandahs feature classical Doric columns with entablature and chunky railings. The intricately carved railings around this house are unusual and maybe a later addition. The quality of these bricks remains apparent as, even though they are over 100 years old, they still look like new. The two wide front windows include a three-panel stained glass in their upper panes. A single smaller square window with stained glass on the ground floor provides light to the staircase or hallway.

Contextual Value

Contextually, it is one of the earliest houses built in the John Martin Survey (Plan No. 6) in 1853. This neighbourhood was one of the very early subdivisions in Milton that were created even before Milton was incorporated as a Town in 1857. This house contributes to the heritage character of this neighbourhood, which is seeing an increase in the number of designated heritage properties, potentially turning the neighbour into a future heritage conservation district.

Character Defining Elements/Heritage Attributes

- Original two-storey terra cotta red brick house with plain and box-like massing
- A medium gable roof with an off-center gable dormer with projecting eaves.
- Wrap around open verandah with classical wooden Doric columns and entablature.
- Single leaf three panels entrance door with upper panel stain glass insert and mechanical doorbell.
- Wide three-over-one windows with upper stain glass panels, shutters, stone headers and lug sills
- Historical home of Thomas Davidson Hume, Victor Chisholm and Dr. George King
- Contextual value as one of the earliest houses built in the John Martin Survey (Lot G, Plan No.17) in 1855.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 027-2024

BEING A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 346 PEARL STREET, TOWN OF MILTON, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter 0. 18, as amended, authorizes the Council of a municipality to enact by-law to designate real property including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the Council or the Corporation of the Town of Milton has caused to be served on the owners of the lands and premises known as, 346 Pearl Street in the Town of Milton and upon the Ontario Heritage Foundation, Notice of Intention to so designate the aforesaid real property and has caused such Notice of Intention to be published in the Town website having general circulation in the municipality;

AND WHEREAS the reasons for designation are set out in Schedule 'B' attached hereto;

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

1. **THAT** there is designated as being of cultural heritage value or interest, the real property known as the building located at 346 Pearl Street, Milton, and legally described in Schedule A' attached hereto.
2. **THAT** the municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A', attached hereto, in the proper Land Registry Office;
3. **THAT** the Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in the same newspaper having general circulation in the municipality.

PASSED IN OPEN COUNCIL ON MARCH 25, 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE 'A' to BY-LAW NO. 027-2024

Legal Description

LT 12, BLK 9, PL 9, S OF PEARL ST.; MILTON

SCHEDULE 'B' to BY-LAW NO. 027-2024

Description of Property

346 Pearl Street is a three-bay, one-and-a-half storey board and batten house built in the Gothic Revival cottage style by Mary and Matthew Kenney in 1909.

Historical or Associative Value

The Lot was first registered to Charles F. Teetzel in 1854. The property went through several owners until it was sold to Mary and Matthew Kenney by the Andrew Tock estate. The Kenney's built this home in 1909 when they demolished their old home on Commercial St.

Later, David and Mary (nee Clarkson) Kenney became the new owners in 1922, raising four daughters and two sons. They are interred in Palermo Cemetery. Mary was the last of many Dutch settlers who came to Grimsby in 1798. In 1964, the property was sold to Cliff and Jessie (nee Kenney) Lewington. Jessie was David and Mary's granddaughter.

Cliff and Jessie worked at the Milton Spinning Mill, and Jessie later worked at the Five and Dime (Stedmans) and Pure Food Bakery. Cliff later was a Press Drill Operator at the PL Robertson plant and later worked for Canada Post as a letter carrier having the distinction of becoming one of Milton's 1st carriers in 1968. Both are very active members of Grace Church. Cliff was a member of St. Clair Masonic Lodge and held the position of secretary and treasurer for Evergreen Cemetery, where they are interred.

The property was passed on to their son, Charles George Arthur Lewington, in 1995.

Physical or Design Value

Physically, the original house has a simple rectangular one-and-a-half-storey cottage. A two-storey addition and a garage were first added in 2012, and a second one-storey addition was made in 2018. The historical portion of the house was restored, and its visual appearance has dramatically improved while keeping its significant heritage attributes in place. It features a notable central open porch entrance with wooden posts on masonry plinths. The original single-leaf entrance door has three glass panels over one long panel. The original windows have been replaced with new three-over-one windows with moulded trims. One of the house's best features is its gothic-shaped window, now retrofitted with a three-over-one panel design. Several large maple trees remained at the front side and rear of the property, conserving the heritage character and age of the neighbourhood..

Contextual Value

Contextually, the original location of the historic house continues to contribute to the heritage character of the Teetzel Survey neighbourhood of 1854.

Character Defining Elements/Heritage Attributes

- Original massing of the historic house with a medium gable roof and central façade gable.
- Three bay, one-and-a-half storey board and batten house, built in the Gothic Revival cottage style
- Single leaf, three glass panels over one long panel entrance door.
- Three over-one windows with plain wood trims and slip sills.
- Three over one Gothic window at central façade gable
- Historical home of the Kenney's family
- Contextual value as contributing to the heritage character of the 1855 Teetzel Survey Plan 9 neighbourhood.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 028-2024 SCHEDULE "A"

ITEM	DOCUMENT	APPROVALS	PARTY	OTHER APPROVALS
1.	Agreements associated with the approved recommendations contained within the Staff Report and any / all ancillary documents that may be required.	CORS-012-24 Town Council March 25, 2024	Various	N/A

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 029-2024

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL OF THE CORPORATION OF THE TOWN OF MILTON AT ITS MEETINGS HELD MARCH 25, 2024 AT 6:00 PM AND 7:00 PM

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 meetings held on March 25, 2024 at 6:00 p.m. and 7:00 p.m. 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 meetings held on March 25, 2024 at 6:00 p.m. and 7:00 p.m. and considered by Council at the said meetings, and in respect of each Report, Motion, Recommendation and other actions passed and taken by Council at the said meetings 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 MARCH 25th, 2024.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid