

The Corporation Of The Town Of Milton
BY-LAW NO. 60-74
EXPLANATORY NOTE

The original Zoning By-law No. 11-67, for the former Township of Nassagaweya, was passed on April 3, 1967. Since then, Nassagaweya Township Council has amended, in many instances, certain portions of the By-law. It would now appear, after making a consolidation of all of the amending By-laws, that certain interpretation problems and implementation problems have been created as a result of the amendments affecting the original By-law. The problems being experienced result in considerable difficulty administering the Zoning By-law for the former Township of Nassagaweya, and thereby Milton Council are, at this time, proposing an amendment in the form of the attached By-law No. 60-74. By-law 60-74 has been passed by Milton Council for the sole purpose of clearing up the problems arising out of the administration of Zoning By-law 11-67 as it is amended to date.

The original Zoning By-law for the Township of Nassagaweya contemplated three types of residential uses within the Rural "A" designated area: A) a 2,000 sq. ft. residence on a 5 acre land severance, B) a 1,000 sq. ft. residence on a 20,000 sq. ft. land severance, C) a 1,000 sq. ft. dwelling unit as an accessory use to the principal uses of the land. This dwelling unit would be erected on the same lot as the principal use.

Over the interim, amendments were processed, making changes to the regulatory provisions within the original By-law. A consolidation of these changes now indicates that, with the exception of an accessory dwelling unit to a permitted principal land use, residential uses have been completely removed from the Rural "A" section of the Zoning By-law.

Even though the original By-law No. 11-67 did and still contains a provision whereby lots created prior to the passing of the By-law may have a dwelling unit constructed thereon, there is nothing contained in the present By-law that would permit a residential use, other than an accessory dwelling unit, on parcels that had been created since the passing of the By-law. It was therefore necessary to pass By-law 60-74, providing for these parcels of land that have been created during the interim between the passing of the original By-law and the present time.

Section 1 of the By-law 60-74 deals solely with the renumbering of sections in the By-law, in order to make them conform to the proposed amendment.

Section 2 of By-law 60-74 simply deletes a sentence from a certain section, in order to add to the clarity of the By-law. The sentence is reinserted in another location in the By-law, thereby making the By-law read more clearly.

Section 3 of By-law 60-74 clarifies the provisions and regulations affecting the construction of an accessory dwelling unit on the same parcel as the principal land use to which it is accessory.

Section 5 of By-law 60-74 inserts a provision for a 2,000 sq. ft. residence on a 5 acre parcel within the Rural "A" designated area. The section also inserts a provision for a 1,000 sq. ft. residence on a parcel of land containing less than 5 acres within the Rural "A" designated area. These two provisions are similar to those contained in the original By-law No. 11-67.

This type of an amendment to the original Zoning By-law, should remedy the problems that have arisen out of the interpretation of the consolidated amendments to the original By-law. The amendment is not intended to impose more restrictive regulations than existed within the By-law when it was passed in the first instance. The By-law does however, allow for the development of properties that were created during the interim from the passing of the original By-law to the present time, and thereby eliminates the hardship which appears to have been created affecting those owners. The intent of the By-law is for clarification purposes and the amendment does not directly zone property.

To summarize the foregoing, this amendment will now permit the issue of building permits for lots created between the date of originally passing the By-law and May 31, 1974, without necessitating a rezoning.

Any further information required in connection with this By-law can be obtained by contacting the Clerk's Office, Town of Milton.

By-law No. 11-67, as amended, is also available for inspection at the Clerk's Office, 251 Main Street, East, Milton, Ontario.

SUCH OWNERS ARE HEREBY NOTIFIED AS ABOVE.
J. McGeachle, Clerk
Town of Milton.
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Hinton plot trade review

Another attempt by Bert Hinton of Acton to exchange burial plots he owns in Fairview Cemetery, for other town owned plots was blocked Wednesday night after a long confused debate, when Mr. Hinton withdrew the request temporarily.

Mr. Hinton claimed his request now complied with the bylaw, but Councillor Harry Levy stated he was quibbling from the wrong bylaw. "We now have a new bylaw covering all of Halton Hills," said Levy.

Mr. Hinton said he was now asking for plots in rotation along the rows, as was demanded by the new bylaw. He agreed to pay the extra \$100 for the registration of deeds.

Councillor Joe Hurst said he supported the request because he felt it could benefit the town. He said the plots owned by Mr. Hinton could be added to a V-shaped piece of municipal land to make an attractive landscaped area, at the entrance to the cemetery. He said the plots would be in sequence as the bylaw demanded.

Councillor Harry Levy stated, "This matter has been twice to the finance committee and twice rejected, and twice to council and twice

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Finance says Hinton can't switch rows

Halton Hills Finance Committee is sticking to its guns concerning Fairview Cemetery plot rotations. They reiterated that plot changes may be made only in rotation, or in simpler terms, just in the same row.

Their decision not to change the policy was made at the July 8 meeting. H. H. (Bert) Hinton went to the committee for the second time requesting that his cemetery plots, of which he now owns five double lots in one row to be switched to seven double lots in another row. Hinton's lots, which he bought in 1968, are somewhat triangular in shape and no longer fit his needs. He wants to move one row back, a row in which all present lots have been sold. The committee wants him to move further down the line in the row where he already owns lots.

Hinton said that he is prepared to trade lots with the Town and make up the difference because he is purchasing two extra double lots. The committee however feels that they should only have to buy back the lots at the old price and then sell him the new ones at the current price.

"He can't go making a profit on the lots," Councillor Harry Levy said. Halton Hills now has a by-law which covers the price of lots and how the cemetery is to be laid out. "I don't want to create legal problems but you should remember that your by-law is not law yet since it has not been approved by the Ontario Municipal Board," Hinton told the committee.

Levy countered that they have not received any questions or complaints from the Municipal Board and that he expects it will soon be approved. "All we have to do is say there will be no change reviews until after the by-law comes into effect," Levy added.

The committee told Hinton that they would not consider a trade of lots but that they would sell him seven double lots at the current price of \$1,225 and then subtract the \$250 he originally paid for lots in 1968.

"We don't want another Georgetown cemetery situation where we have grave openings," Councillor Russ Miller said.

To avoid openings and to prevent setting trading precedents, which would contravene the by-law, the committee refused to recom-

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Switch

A switch from the previous week's decision at Halton Hills council Tuesday night cut the cost of the proposed Georgetown arena from \$1,185,500 to \$900,000 and the seating capacity from 1,000 to 800 seats.

With Councillors Russell Miller, Ernie Sykes, Ric Morrow and Mike Armstrong missing, Councillors Hyde, Howitt, Hurst, Cox and McKenzie combined to limit architects Lee, Elken and Becksted to the lower cost and seating capacity in their final drawings. Only last Wednesday night, council authorized the firm to go to the higher figure and seating capacity.

Mayor Tom Hill warned that the town would lose a \$250,000 Winter Capital Loan Fund grant if they did not go ahead. He said there was no guarantee the Region would issue the \$450,000 debenture now necessary.

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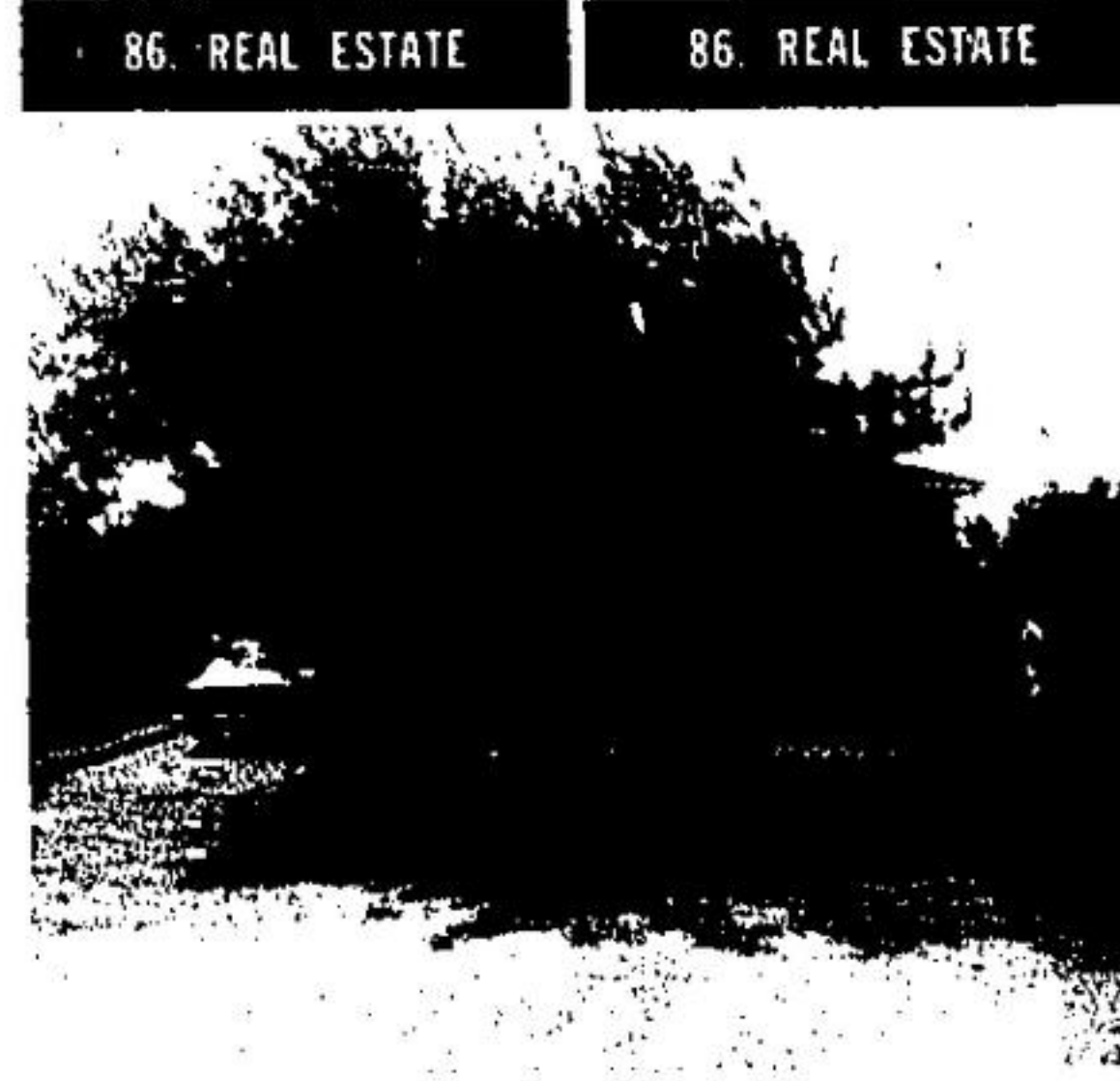
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