

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2020

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 14, CONCESSION 1, NS (TRAFALGAR), VUE DEVELOPMENTS ON MAIN.

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

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

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

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Secondary Commercial (CBD-B) Zone symbol to the Secondary Commercial Special Section XXX (CBD-B*XXX) Zone symbol shown on Schedule A attached hereto.
2. **THAT** Schedule D to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Maximum Building Height to 18 storeys on the land shown on Schedule B attached hereto.
3. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.XXX as follows:

Secondary Commercial Special Section XXX (CBD-B*XXX) Zone

(i) Additional permitted uses:

- a. Guest Suite
- b. Mixed Use Building

(ii) Definitions:

For the purpose of this by-law:

- a. **BALCONY** means a platform that may be partially enclosed projecting from the main wall of a building which is not supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within the building.

- b. AMENITY AREA means the area situated on a residential or mixed use building lot that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lunges, decks and other similar uses but shall not include a swimming pool or areas occupied at grade, by service areas, parking areas, aisles or access driveways associated with the development.
- c. GUEST UNIT means a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require a separate parking provision.

(iii) Special Provisions:

- a. Despite any provisions to the contrary, more than one residential building is permitted on the lot.
- b. Despite any provision to the contrary, Bronte Street North shall be deemed the front lot line.
- c. Notwithstanding the provisions of Section 4.5.i, Balconies, balconies are permitted in all yards for apartment buildings and mixed use buildings only.
- d. Notwithstanding the provisions of Section 4.18.to the contrary:
 - i) A restaurant patio shall be located a minimum of 0.5 m from any other lot line.
 - ii) The restaurant patio shall not be required to comply with provision 4.18.vi.
- e. Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, to the contrary:
 - i) the calculation of Building Height shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls
- f. Notwithstanding Section 5.8.1, Table 5E, to the contrary the minimum off-street parking requirements shall be:
 - i) 1.0 spaces per dwelling unit

- ii) plus 0.25 visitor parking spaces per dwelling unit
- iii) plus 1 parking space per 20 square metres of commercial gross floor area
- iv) plus 1 parking space per 30 square metres of office gross floor area
- v) Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and may be used for any combination of residential and permitted non-residential uses.

- g. Notwithstanding Section 5.12, Table 5L, to the contrary, the parking area may be setback a minimum of 1.3 metres from a building.
- h. Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 metres of a street line or lot line.
- i. Notwithstanding Section 7.2, Table 7C to the contrary, the maximum lot coverage shall be 35%.

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 *** , 2020**

Gordon A. Krantz Mayor

Troy McHarg Town Clerk

SCHEDULE A
TO BY-LAW No. ***-2020
TOWN OF MILTON

PART OF LOT 14, CONCESSION 1,
NEW SURVEY (TRAFALGAR)
TOWN OF MILTON

