

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

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 LOTS 7, 8 & 9 CONCESSION 7, N.S., FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED - FILE: Z-

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 H to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Milton Education Village Medium Density Residential II (MEV-RMD2) Zone, High Density Residential II (RHD2) Zone, and Innovation District Mixed-Use (ID-MU) Zone symbols to RMD2-AAA, RHD-BBB, and MU-CCC on the land as shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.AAA to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned RMD2-AAA, the following standards and provisions shall apply:

- i) Additional Permitted Uses:
 - a. *Dwelling, stacked townhouse*
 - b. *Greenway*
 - c. *Stormwater management facilities*
 - d. *Parkland*
 - e. *Amenity area*
 - f. *Public use*
 - g. *School, elementary and secondary*
 - h. *Day care centres*
 - i. *Places of worship*
 - j. *Hospice facilities*
 - k. *Parking areas*, including above or below grade parking structures

- ii) For the purposes of this By-law, “lane” shall mean “a public or private roadway providing secondary vehicular access”.
- iii) Special Site Provisions Applicable to All Dwelling Types
 - a. A unit within a plan of condominium on which a back-to-back townhouse, street access townhouse, or lane access townhouse is situated shall be treated as one lot for administering the Zoning By-law.
 - b. A back-to-back townhouse, lane access townhouse and street access townhouse are limited to a combined maximum of 50 percent of units within a subdivision block abutting Tremaine Road or the Greenbelt.
 - c. Development shall be within a density range of 70 to 200 units per net hectare.
 - d. For the purposes of this By-law, ‘net hectare’ shall exclude private roads.
 - e. Lot Standards:
 - a. For multiple, quattroplex and triplex dwellings, and stacked townhouses, the minimum front and exterior yard setback is one metre.
 - b. For multiple, quattroplex and triplex dwellings, and stacked townhouses, the minimum interior yard setback is 1.2 metres.
 - c. For multiple, quattroplex and triplex dwellings, and stacked townhouses, the minimum rear yard setback is 1 metre.
 - d. In addition to Section 4.19.6 i), for the purposes of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not to exist.
 - e. There is no minimum setback to a dedicated daylight triangle.
 - f. For the purposes of this By-law, where the front, exterior side, or rear lot line of a corner lot has a curved radius, for the purposes of determining lot frontage, depth, and setbacks, the radius shall be deemed not to exist and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.
 - f. Amenity: For residential uses, excluding apartments, a minimum of four square metres per dwelling unit of outdoor amenity area space shall be provided in a yard, patio, above- or below-grade terrace, or balcony, in any combination.
 - g. Permitted Encroachments:
 - a. The minimum setback to a street line for porches and verandas, patios, and balconies is one metre.
 - b. Stairs to an entrance are permitted in the interior side yard.
 - c. The minimum setback to a lot line for stairs and accessible

- ramps is 0.6 metres.
- d. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
 - e. Porches and verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
 - f. Balconies located on top of a porch or veranda are permitted to encroach into the required interior side yard up to a maximum of 0.6 metres for a maximum width of 4 metres.
- h. Height:
- a. The minimum building height is three storeys, with the exception of street access townhouses.
 - b. The maximum building height is eight storeys, except for lands abutting the Greenbelt which have a maximum height of 12 storeys.
- i. Parking:
- a. The minimum driveway width is three metres.
 - b. For a corner unit, the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
 - c. The minimum setback from a parking space to the point of intersection of two street lines is 4.7 metres.
 - d. Within a plan of condominium, visitor parking shall be provided at a rate of 0.20 parking spaces per unit.
 - e. An apartment building, hybrid apartment building, stacked townhouse and multiple, triplex and quattroplex dwellings shall have a minimum of one parking space per dwelling unit plus 0.20 visitor parking spaces per unit.
 - f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
 - g. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 1.2 metres from a lot line.
 - h. An underground parking structure is permitted to extend under a public street, public lane, laneway, park, amenity area or greenway.
 - i. Where an underground parking structure extends beyond the lot line of the lot it is intended to serve, the required parking for uses within that lot are also permitted to be located in the portion of the underground parking structure that extends beyond the lot boundary.
 - j. Where a wall, column, or other obstruction is located abutting or within any parking space, the following requirements apply:
 - 1. The minimum width of the parking space shall be increased by 0.3 metres for each side that is obstructed.

2. Obstructions within 1.15 metres of either stall end do not require an increase in parking space width, provided the obstruction projects no more than 0.15 metres into the parking space.
- v. Where a wall, column or other obstruction is located abutting or within any parking space, it must be set back a minimum of 0.4 metres from the drive aisle.
- vi. For required residential parking spaces located underground, where the number of required parking spaces is 100 or more, 25 percent of required parking spaces shall have a level two roughed-in electric vehicle charging station.
- vii. Equipment for the charging of an electric vehicle is permitted to encroach within a parking space provided that the charging equipment is located in the same parking space as the vehicle to be charged and provided it complies with the following:
 1. Where the EV charging equipment is mounted on a pedestal, it shall be located within 0.50 metres of the corner of the parking space at the furthest end from the drive aisle from which vehicle access is provided, measured at right angles;
 2. Where the EV charging equipment is mounted on a wall, it shall be setback a minimum of 5.3 metres from the drive aisle from which vehicle access is provided, measured at right angles, and be mounted a minimum of 1.0 metres from the ground; and,
 3. Equipment for the charging of an electric vehicle shall not encroach into a required landscape buffer or loading space and shall not obstruct pedestrian walkways or vehicular traffic.

iv) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Street Access, the following shall apply:

- a. A balcony with vertical uprights may project into the rear yard 2.5 metres.

v) Notwithstanding any provisions to the contrary, for Back-to-Back Townhouse Dwellings, the following shall apply:

- a. Minimum lot frontage (corner unit): 8.0 metres
- b. Minimum front yard setback (all unit types): 2.0 metres to building
- c. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.
- d. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.

vi) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Lane Access or Private Street, Rear Access, the following shall apply:

- a. For all rear access townhouses, the yard where the driveway is located is deemed to be the rear yard.
- b. Minimum lot depth: 15.0 metres
- c. Minimum rear yard setback: 0.6 metres
- d. At the intersection of two streets, no part of any residential driveway shall be located closer than:
 - i. 3.0 metres from the point of intersection of two private street lines, or;
 - ii. 4.5 metres from the point of intersection of one private street line and one public street line.
- e. Notwithstanding any provisions of the By-law to the contrary, in those instances where the front yard is included as part of a common element of a condominium, the minimum required front yard setback between a condominium dwelling unit and a common element shall be 0.0 metres.
- f. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
- g. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- h. Section 5.6.2 viii b) shall not apply.

vii) Notwithstanding any provisions to the contrary, for Stacked Townhouse Dwellings, the following shall apply:

- a. No non-conformity in setbacks will be created as a result of any severance of the land for the purpose of mortgaging or conveying to a condominium corporation or any public authority.
- b. Air conditioning and heat exchange units may be located on a balcony or in a required front or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.
- c. Parking:
 - i. Accessible parking requirement shall apply only to visitor parking.
 - ii. For the purpose of providing visitor parking only, adjacent blocks within the same zone shall be treated as one lot.

viii) Notwithstanding any provisions to the contrary, for Apartment Building or Retirement Home, the following shall apply:

- a. No non-conformity in setbacks will be created as a result of any severance of the land for the purpose of mortgaging or conveying to a condominium corporation or any public authority.

- b. For an apartment, a minimum of four square metres per dwelling unit of outdoor communal amenity space shall be provided at grade, on the rooftop, or on the podium, in any combination.
- c. There are no minimum amenity requirements for a retirement home.
- d. There is no maximum height restriction for roof-mounted wind and solar energy installations.
- e. Minimum front and exterior yard setback: 3.0 metres
- f. Minimum rear yard setback: 6.0 metres
- g. Minimum interior side yard setback: 6.0 metres
- h. The minimum bicycle parking space requirement can be satisfied using vertical or horizontal bicycle parking spaces.
- i. At least 10 percent of the required bicycle parking shall be provided at grade and adjacent to the main building entry.
- j. The minimum vertical bicycle parking space dimensions are as follows:
 - i. The minimum width is 0.9 metres.
 - ii. The minimum length is 1.2 metres.
 - iii. The minimum vertical clearance is two 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.BBB to read as follows:

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

- i) Additional Permitted Uses:
 - a. Uses permitted in the Mixed-Use (MU) Zone set out in section 6 of the Zoning By-law
 - b. *Dwelling, townhouse*, street access, subject to the standards of RMD2-AAA
 - c. *Dwelling, townhouse*, lane access or private street, rear access subject to the standards of RMD2-AAA
 - d. *Dwelling, back-to-back townhouse*, subject to the standards of RMD2-AAA
 - e. *Dwelling, multiple*, subject to the standards of RMD2-AAA
 - f. *Quattroplexes*, subject to the standards of RMD2-AAA
 - g. *Dwelling, stacked townhouse*, subject to the standards of RMD2-AAA
 - h. Greenway
 - i. Stormwater management facilities
 - j. Parkland
 - k. Amenity area
 - l. *Public use*
 - m. *School, elementary and secondary*
 - n. *Day care centres*
 - o. *Places of worship*
 - p. Hospice facilities

- q. *Parking areas*, including above or below grade parking structures
- ii) Special Site Provisions Applicable to All Dwelling Types
 - a. Development shall be within a density range of 100 to 300 units per net hectare.
 - b. For the purposes of this By-law, 'net hectare' shall exclude private roads.
 - c. Minimum landscaped open space shall not apply.
 - d. Maximum lot coverage shall not apply.
 - e. A transformer may project towards a public street beyond the main wall of a building.
 - f. Height:
 - i. The minimum height of an apartment building is 6 storeys.
 - ii. The maximum height is 15 storeys.
 - iii. Apartment buildings and townhouses are permitted to have sections that terrace or step down below the minimum building height.
 - iv. There is no maximum height restriction for roof-mounted wind and solar energy installations.
 - g. The minimum setbacks for an apartment building and retirement home are as follows:
 - i. 3.0 metres for the front and exterior side yard.
 - ii. 6.0 metres for the rear and interior side yard.
 - h. The minimum setback to a street line for porches and verandas, patios and balconies is 1.0 metre.
 - i. Stairs to an entrance are permitted in the interior side yard.
 - j. The minimum setback to a lot line for stairs and accessible ramps is 0.6 metres.
 - k. There is no minimum setback to a dedicated daylight triangle.
 - l. The minimum setback to adjacent zones and grade-related dwellings is 7.5 metres, except where grade-dwellings are proposed.
 - m. No non-conformity in setbacks will be created as a result of any severance of the land for the purpose of mortgaging or conveying to a condominium corporation or any public authority.
 - n. Amenity:
 - i. For an apartment, a minimum of four square metres per dwelling unit of outdoor communal amenity space shall be provided at grade, on the rooftop, or on the podium, in any combination.
 - ii. The outdoor communal area shall be aggregated into areas of not less than 50 square metres that have a minimum width of six metres.
 - iii. There are no minimum amenity requirements for a retirement home.
 - o. The minimum bicycle parking space requirement can be satisfied using vertical or horizontal bicycle parking spaces.

- p. At least 10 percent of the required bicycle parking shall be provided at grade and adjacent to the main building entry.
- q. The minimum vertical bicycle parking space dimensions are as follows:
 - i. The minimum width is 0.9 metres.
 - ii. The minimum length is 1.2 metres.
 - iii. The minimum vertical clearance is two metres.
- r. Parking:
 - i. One parking space is required per 40 square metres of gross leasable floor area.
 - ii. A mixed-use building shall have one parking space per dwelling unit plus the greater of 0.2 parking spaces per residential dwelling unit for visitor parking or one parking space per 25 square metres of gross leasable area for the non-residential component in a mixed use building;
 - iii. The minimum setback from a parking space to the point of intersection of two street lines is 4.7 metres.
 - iv. Within a plan of condominium, visitor parking shall be provided at a rate of 0.20 parking spaces per unit.
 - v. An apartment building shall have a minimum of one parking space per dwelling unit plus 0.20 visitor parking spaces per unit.
 - vi. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
 - vii. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 1.2 metres from a lot line
 - viii. An underground parking structure is permitted to extend under a public street, public lane, laneway, park, amenity area or greenway.
 - ix. Where an underground parking structure extends beyond the lot line of the lot it is intended to serve, the required parking for uses within that lot are also permitted to be located in the portion of the underground parking structure that extends beyond the lot boundary.
 - x. Where a wall, column, or other obstruction is located abutting or within any parking space, the following requirements apply:
 - 1. The minimum width of the parking space shall be increased by 0.3 metres for each side that is obstructed.
 - 2. Obstructions within 1.15 metres of either stall end do not require an increase in parking space width, provided the obstruction projects no more than 0.15 metres into the parking space.
 - xi. Where a wall, column or other obstruction is located abutting or within any parking space, it must be set back a minimum of 0.4 metres from the drive aisle.
 - xii. For required residential parking spaces located underground, where the number of required parking spaces is 100 or more, 25 percent of required parking spaces shall have a level two roughed-in electric vehicle charging station.

- xiii. Equipment for the charging of an electric vehicle is permitted to encroach within a parking space provided that the charging equipment is located in the same parking space as the vehicle to be charged and provided it complies with the following:
 - 1. Where the EV charging equipment is mounted on a pedestal, it shall be located within 0.50 metres of the corner of the parking space at the furthest end from the drive aisle from which vehicle access is provided, measured at right angles;
 - 2. Where the EV charging equipment is mounted on a wall, it shall be setback a minimum of 5.3 metres from the drive aisle from which vehicle access is provided, measured at right angles, and be mounted a minimum of 1.0 metres from the ground; and,
 - 3. Equipment for the charging of an electric vehicle shall not encroach into a required landscape buffer or loading space and shall not obstruct pedestrian walkways or vehicular traffic.

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.CCC to read as follows:

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

- i) Additional Permitted Uses:
 - a. *Dwelling, stacked townhouse* with surface parking subject to the standards of RMD2-AAA
 - b. *Dwelling, multiple*, subject to the standards of RMD2-AAA
 - c. *Apartment dwelling, retirement dwelling*, and mixed-use building subject to the standards of RHD-BBB unless otherwise modified by this by-law
 - d. Employment uses, including:
 - 1. Uses permitted in the I-B zone.
 - 2. Uses permitted in the C2 zone, in a standalone format subject to the C2 provisions unless otherwise modified by this by-law, or in a mixed-use format subject to the MU provisions unless otherwise modified by this by-law.
 - 3. Hospice facilities
 - 4. *Research and technology uses*
 - 5. *Recreation and athletic facilities*
 - 6. *Night clubs*
 - 7. *Social services establishments*
 - 8. *Food banks*

- 9. Ancillary residential uses
- 10. *Convention centre*
- 11. *Hotel*
- 12. *Office building*
- 13. *Veterinary hospital – small animal*
- 14. *Banquet facility*
- 15. *Cannabis production and processing facility*
- 16. *Commercial school- trade/profession*
- e. Greenway
- f. Stormwater management facilities
- g. Parkland
- h. Amenity area
- i. *Public use*
- j. *Parking areas*, including above or below grade parking structures

ii) Special Site Provisions:

- a. Employment uses in i) b) above must occupy a minimum of 15 per cent of the gross floor area of each block on a draft plan of subdivision.
- b. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
- c. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 metres or less that has been established by the Town to restrict or control access to an abutting public street, the reserve shall be deemed to constitute part of the lot for the purposes of calculating required setbacks only.
Reserves used for such purposes must remain clear and unencumbered.
- d. No non-conformity will be created as a result of any severance of the land for the purpose of mortgaging or conveying to a condominium corporation or any public authority.
- e. Minimum setback to a lot line: 1.0 metre
- f. Minimum setback to a street line: 0 metres, except for a residential use the minimum is 3.0 metres.
- g. The minimum setback to a street line for porches and verandas, patios and balconies is 1.0 metre.
- h. Stairs to an entrance are permitted in the interior side yard.
- i. The minimum setback to a lot line for stairs and accessible ramps is 0.6 metres.
- j. There is no minimum setback to a dedicated daylight triangle.
- k. Minimum floor space index for each block on a draft plan of subdivision: 1.2.
- l. No minimum floor space index shall apply to interim uses.
- m. Minimum landscaped open space shall not apply.
- n. Maximum building height: 25 storeys
- o. Maximum Floor Space Index (FSI) : 6.0
- p. A transformer may project towards a public street beyond the main wall of a

building.

q. Parking:

- a. One parking space is required per 40 square metres of gross leasable floor area.
- b. Where a drive aisle is located under a portion of a building the setback of a parking area from a building shall be 0 metres.
- c. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area or below grade parking structure may be located within 0 metres of a private street line.
- d. Minimum setback of a parking area from a lot line: 0 metres, except for a lot line abutting a different zone category the minimum setback shall be 0.5 metres.
- e. Minimum setback of an above or below grade parking structure from a lot line or street line: 0 metres
- f. Maximum surface parking area shall not apply.
- g. Above grade parking structures shall not be included in FSI calculations.

4. **THAT** pursuant to Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the Planning Act, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as amended, this Zoning By-law 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.

PASSED IN OPEN COUNCIL ON, 2025.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE A
TO BY-LAW No. *-2025**
TOWN OF MILTON

PART OF LOT 7, 8 and 9, CONCESSION 7, N.S. (GEOGRAPHIC TOWNSHIP OF NELSON)
TOWN OF MILTON

