

## 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 LOT 8, CONCESSION 8, N.S. FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (REMINGTON TRAFALGAR INC.) - 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 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 the Residential Medium Density 1 - Special Provision AAA (RMD1\*AAA) Zone, Residential Medium Density 2 - Special Provision BBB (RMD2\*BBB) Zone, Mixed Use CCC (MU-CCC), Natural Heritage System (NHS) Zone, Open Space (OS) Zone, Open Space 2 (OS-2) Zone and Minor Institutional (I-A) Zone symbols 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.AAA to read as follows:

#### **Residential Medium Density 1 - Special Provision AAA (RMD1\*AAA) Zone**

##### **i) Special Site Provisions Applicable to All Dwelling Types**

- a. In addition to Section 4.19.6 i), for the purpose of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not to exist.
- b. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
- 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. 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 street, the lot is considered to have frontage on a public street.
  - e. 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. 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 a minimum of 1.2 metres from any other lot line, except where a parking area abuts a sidewalk the setback shall be a minimum of 1.5 metres.
  - h. A balcony with vertical uprights may project into the rear yard 2.5 metres.
  - i. Stairs to a side entrance are permitted in the interior side yard.
- ii) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access (All Types) the following shall apply:
- a. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
  - b. Notwithstanding Section 4.19.5, Table 4H, chimneys are permitted to be located 0.6 metres into the required rear setback, exterior side yard setback and interior side yard setback.
  - c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.
  - d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metre from their intersection.
  - e. 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.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access, Interior Lot:
- a. Lot Frontage (minimum), interior lot: 9.15 metres

- b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.2 metres or 36% of the building face, whichever is less.
  - c. Notwithstanding b. above, where a second floor balcony projects beyond the garage, it will be considered part of the dwelling face.
  - d. Stairs and boxed/bay windows shall be permitted in a required interior side yard for interior lots adjacent to a corner lot on a roundabout.
  - e. For a triangular lot with converging side lot lines, no lot depth requirement or minimum rear yard depth shall apply.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling - Street Access, Corner Lot, the following shall apply:
  - a. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
    - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
    - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
    - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.
  - b. At the intersection of two local public or private streets:
    - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - c. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Street Access, the following shall apply:
  - a. At the intersection of two local public or private streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - b. 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.
  - c. Notwithstanding Section 4.19.5, Table 4H, chimneys are permitted to be located 0.6 metres into the required rear setback, exterior side yard setback and interior side yard setback.

- d. For the purpose of this By-law, units with a primary entrance fronting an Open Space or Natural Heritage System zone instead of a street shall be considered through lots and shall have a minimum lot depth of 19 metres.
- vi) Notwithstanding any provisions to the contrary, for Townhouse Dwelling - Lane Access, the following shall apply:
  - a. For the purpose of this by-law, lane shall also mean a private lane or private street providing rear garage access.
  - b. For all lane access townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - c. Minimum Lot Depth (all unit types): 18.0 metres
  - d. For the purpose of this By-law, where applicable, lot depth is measured from the limit of the right-of-way to the rear lot line, inclusive of the 0.3 metre reserve and Common Element Exclusive Use Areas.
  - e. Rear yard setback (minimum), all unit types - 1.0 metre
  - f. Notwithstanding Section vi) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
  - g. 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.
  - h. The minimum required outdoor amenity area per unit is 5 m<sup>2</sup>, to be provided on a balcony.
  - i. 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.
  - j. Notwithstanding Section 4.19.5, Table 4H, chimneys are permitted to be located 0.6 metres into the required rear setback, exterior side yard setback and interior side yard setback.
  - k. 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.
  - l. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
  - m. Notwithstanding Section 4.19.5, Table 4H, chimneys are permitted to be located 0.6 metres into the required rear setback, exterior side yard setback and interior side yard setback.

- n. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- o. Section 5.6.2 viii b) shall not apply.

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:

**Residential Medium Density 2 - Special Provision BBB (RMD2\*BBB) Zone**

- i) Additional Permitted Uses:
  - a. Dwelling, *stacked townhouse*
  - b. *Dwelling, stacked townhouse* with surface parking.
- ii) Townhouse Dwelling, Street Access, and Townhouse Dwelling, Lane Access shall be subject to the provisions of the Residential Medium Density 1 - Special Provision AAA (RMD1\*AAA) Zone above.
- iii) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:
  - a. 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.
  - b. For the purpose of this by-law, a “unit” within a plan of condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering the Zoning By-law.
  - 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. 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 street, the lot is considered to have frontage on a public street.
  - e. 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. 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 a minimum of 1.2 metres from any lot line,

- except where a parking area abuts a sidewalk the setback shall be a minimum of 1.5 metres.
- h. Minimum Lot frontage (corner unit): 8.0 metres
  - i. Minimum Front yard setback (all unit types): 2.0 metres to building
  - j. The minimum required outdoor amenity area per unit is 5 m<sup>2</sup>, to be provided on a balcony.
  - k. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.
  - l. For a corner unit at the intersection of two local streets:
    - i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - m. 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.
  - n. 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.
  - o. 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.
- iv) Stacked Townhouse Buildings, Apartment Building Street Access shall be subject to the provisions of the Mixed Use Special Section CCC (MU\*CCC) Zone subject to the following:
- a. Maximum building height - Apartment Buildings: 8 storeys
  - b. Maximum Floor Space Index (FSI) - Apartment Buildings: 3.0
- i) Notwithstanding any provisions to the contrary, for stacked townhouse dwellings, the following shall apply:
- a. Stacked townhouse dwellings shall be subject to the multiple dwelling provisions unless otherwise modified by this bylaw.
  - a. Minimum setback from a lot line: 3 metres
  - b. Minimum setback of a residential building to a private road: 1.8 metres
  - c. Risers are permitted to encroach to 0.6 metres from a lot line abutting a public road.
  - d. 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.
  - e. Parking:
    - 1. 1 resident spaces and 0.20 visitor spaces per unit
    - 2. Where the lot fronts a public road less than 26 metres in width, the visitor parking rate shall be reduced to 0.15 visitor spaces per unit.
    - 3. Accessible parking requirement shall apply only to visitor

parking.

4. For the purpose of providing visitor parking only, adjacent blocks within the same zone shall be treated as one lot.

- ii) Notwithstanding any provisions to the contrary, for apartment dwellings, the following shall apply:

- a. Front yard setback: 3 metres
- b. Interior yard setback: 3 metres
- c. Exterior yard setback: 3 metres
- d. Maximum building height: 8 storeys
- e. 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.
- f. 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.
- g. Minimum setback of an above or below grade parking structure from a lot line or street line: 0 metres
- h. Maximum surface parking area shall not apply.
- i. Above grade parking structures shall not be included in FSI calculations.
- j. Notwithstanding the provisions of Sections 5.1 and 5.8 to the contrary, a maximum 0.15 metre encroachment is permitted within parking spaces for support columns within the underground parking structure.
- k. Maximum FSI: 3.0

- iii) Notwithstanding any provisions to the contrary, for all dwelling types, the following shall apply:

- a. Within a plan of condominium, visitor parking shall be provided at a rate of 0.20 parking spaces per unit.
- b. Notwithstanding a. above, visitor parking requirements shall not apply to dwellings with individual driveway access from a public street.

4. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.CCC as follows:

#### **Mixed Use - Special Section CCC (MU\*CCC) Zone**

- i) Additional Permitted Uses:
  - a. *Dwelling, townhouse* subject to the RMD2-BBB provisions unless otherwise modified by this by-law.
  - b. *Dwelling, back-to-back townhouse*, subject to the RMD2-BBB provisions unless otherwise modified by this by-law.
  - c. *Dwelling, duplex* subject to the RMD2-BBB provisions unless otherwise

modified by this by-law.

- d. *Dwelling, stacked townhouse* with surface parking.

ii) Special Site Provisions:

- a. 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.
- b. 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.
- c. 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.
- d. More than one (1) residential building is permitted on a lot.
- e. 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.
- f. 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.
- g. Minimum setback of an above or below grade parking structure from a lot line or street line: 0 metres
- h. Maximum surface parking area shall not apply.
- i. Above grade parking structures shall not be included in FSI calculations.
- j. Notwithstanding the provisions of Sections 5.1 and 5.8 to the contrary, a maximum 0.15 metre encroachment is permitted within parking spaces for support columns within the underground parking structure.
- k. Vehicles associated with a car share program shall be permitted to be parked in required visitor spaces.
- l. Ventilation associated with the underground parking shall be set back a minimum of 1.2 metres from a street line.
- m. Minimum landscaped open space shall not apply.
- n. A transformer may project towards a public street beyond the main wall of a building to no closer than 2.0 metres from the street line.

iii) Notwithstanding any provisions to the contrary, for Apartment Buildings and Mixed Use Buildings, the following shall apply:

- a. Minimum setback of a residential building to a street line: 2.0 metres



- b. Minimum setback to Natural Heritage System Zone: 7.0 metres, except for an above or below grade parking structure which shall be setback 0.0 metres
- c. The Setbacks to All Other Zones and Grade Related Dwellings provision is not applicable;
- d. The maximum main wall length shall be 75 metres.
- e. The access to at-grade units provision shall not apply to apartment or mixed-use dwelling units located at grade that do not have any exterior walls facing a public street.
- f. Balconies oriented toward an arterial road are permitted above 3 metres from established grade.
- g. The first storey height, measured from floor to floor, for residential buildings shall be a minimum of 3.5 metres.
- h. Maximum building height: 25 storeys
- i. Maximum Floor Space Index (FSI) : 6.0
- j. Shared parking provision for mixed-use buildings: The greater of 0.20 residential visitor parking spaces per dwelling unit or 1 parking space per 25 square metres of non-residential gross floor area shall be required.
- k. Notwithstanding Table 6A-1, Footnote 3, all outdoor open space areas shall be considered outdoor communal amenity space.
- l. Notwithstanding Table 6A-1, Footnote 3, a minimum of 3 square metres of outdoor communal amenity space per apartment or mixed-use dwelling unit shall be provided at grade and/or as a rooftop amenity area and shall be maintained and operated by a common entity (such as a condominium corporation). The amenity area requirement will be calculated over all apartment and mixed-use dwelling units on a site plan or adjacent site plans.

iv) Notwithstanding any provisions to the contrary, for Stacked Townhouse Buildings, the following shall apply:

- f. Minimum setback from a lot line: 3 metres
- g. Minimum setback from a lot line abutting a different residential zone: 6 metres
- h. Minimum setback of a residential building to a private road: 1.8 metres
- i. Minimum building separation: 3 metres
- j. Risers are permitted to encroach to 0.6 metres from a lot line abutting a public road.
- k. 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.
- l. Maximum building height: 14 metres
- m. Parking:
  - ii. 1 resident spaces and 0.20 visitor spaces per unit

- iii. Where the lot fronts a public road less than 26 metres in width, the visitor parking rate shall be reduced to 0.15 visitor spaces per unit.
- iv. Accessible parking requirement shall apply only to visitor parking.
- v. For the purpose of providing visitor parking only, adjacent blocks within the same zone shall be treated as one lot.
- n. Notwithstanding Table 6A-1, Footnote 3, a minimum of 3m<sup>2</sup> of communal amenity area shall be provided for units outside of a 400 metre radius of public parkland.

5. 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 Local Planning Appeal 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 8, CONCESSION 8, N.S. (TRAFALGAR)  
TOWN OF MILTON

