



# The Corporation of the Town of Milton

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Report To: Council

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From: Barbara Koopmans, Commissioner, Planning and Development

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Date: May 6, 2019

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Report No: PD-022-19

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Subject: Public Meeting: Revisions to Proposed Plan of Subdivision and Zoning By-law Amendment applications by Mattamy (Brownridge) Limited ("Martin East"). (Town Files: 24T-17002/M and Z-14/17)

**Recommendation: THAT Planning and Development Report PD-022-19, BE RECEIVED FOR INFORMATION**

## EXECUTIVE SUMMARY

Since draft approval was granted to the Mattamy (Brownridge) Limited ("Martin East") plan of subdivision on November 7, 2018, the applicant has made several changes to the draft plan in order to accommodate a new stormwater management strategy and address technical conditions. As a result, minor lot line shifts and a redistribution of some dwelling types at the north end of the plan, have also been proposed. A redlined draft plan and revised zoning by-law have now been received by the Town of Milton's Planning Department for consideration and review.

The revised application proposes 519 detached dwellings (40 less than the draft plan), 199 townhouse dwellings (50 more than the draft plan), 136 back-to-back townhouses (12 less than the draft plan), 4 future medium density blocks (1 more than the draft plan), a neighbourhood park, 2 school blocks, 4 stormwater management ponds (2 being resized), a Secondary Mixed Use Node, (containing high density residential units), trails and linkages, and a refined NHS, on the subject lands.

Given the extent of the proposed revisions, staff recommends that an additional public meeting be held.

## REPORT

### Background

#### Owner

Mattamy (Brownridge) Limited, 433 Steeles Avenue East, Milton, ON, L9T 8Z4

#### Applicant



Korsiak Urban Planning, 206-277 Lakeshore Road East, Oakville ON L6J 1H9

## **Location/Description**

The subject lands are located east of the Sixteen Mile Creek valley, south of Louis St. Laurent Avenue, north of Britannia Road West, and west of Thompson Road and are legally described as Part of Lots 6 and 7, Concession 3, NS, former Township of Trafalgar, and Part 4 on Plan 20R-18391. See Figure 1- Location Map. Mattamy owns other lands within the concession block between Sixteen Mile Creek and Regional Road 25; the entire site is referred to as the Mattamy “Martin” lands. The portion west of the creek is referred to as Martin West (File 24T-15002/M), and the property subject to this report and review is referred to as Martin East.

The property is approximately 84 hectares (208 acres) in size, with a frontage of approximately 1200 metres on Thompson Road. The majority of the property is vacant with the exception of an extensive natural heritage system, which includes a large woodlot and a portion of the Sixteen Mile Creek watercourse and valley system along the west side of the property. A narrow Union Gas line easement traverses the property from the north to the south, through the western portion of the plan.

## **Proposal**

A public meeting relating to the initial submission of the Mattamy Martin East proposed plan of subdivision and zoning by-law amendment was held on February 26, 2018. As a result of a number of proposed revisions to the plan (which altered the overall design and the total number of units), a second public meeting was held on September 10, 2018. Subsequently, draft approval was granted for the Mattamy Martin East plan of subdivision on November 7, 2018. Since that time, the applicant has made several changes to the draft plan, and as a result, has submitted a redlined draft plan, a revised zoning by-law and updated background documents for staff’s consideration and review. The principal purpose for the proposed revisions to the draft plan is to implement a new stormwater management strategy that reflects the information provided in the Area 6 technical addendum to the approved Boyne Survey Area 5A, 5B & 6 Subwatershed Impact Study (SIS). The stormwater management strategy is necessary to address the riparian rights to the McCann lands, which are located on the east side of Thompson Road, north of Britannia Road.

As a result of required pond resizing to achieve the new strategy, a new future medium density block has been proposed at the south end of the plan. Minor lot line shifts and a redistribution of dwelling types have also been proposed (i.e. lots to be added, deleted and converted from one dwelling type to another) resulting in an overall net loss of 2 units. Technical revisions relating to road and roundabout design have also been

incorporated on the redlined plan. Given the nature of the proposed revisions, staff recommends that an additional public meeting be held.

The revised application proposes to amend the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to permit the development of 519 detached dwellings (40 less than the draft approved plan), 199 townhouse dwellings (50 more than the draft approved plan), 136 back-to-back townhouses (12 less than the draft approved plan), 4 future medium density blocks (1 more than the draft approved plan), a neighbourhood park, 2 school blocks (one full block and 1 partial block), 4 stormwater management ponds, a Secondary Mixed Use Node, (containing high density residential units), trails and linkages, and a refined NHS, on the subject lands. Figure 2 illustrates the proposed redline revisions to the draft approved plan.

The main access to the proposed development will be from Thompson Road through a new collector road, Whitlock Avenue (Street 'A' on the plan), which will ultimately connect to the Martin West lands via a bridge crossing of Sixteen Mile Creek.

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

- Redlined Draft Approved Plan of Subdivision (Version E), prepared by Korsiak Urban Planning, dated March 22, 2019.
- Cover Letter (detailing the proposed revisions), prepared by Korsiak Urban Planning, dated March 25, 2019.
- Traffic Impact Study Update, prepared by GHD, dated March 22, 2019.
- Noise Feasibility Study, prepared by HGC Engineering, dated March 20, 2019.
- Built Form Guidelines (Third Submission), prepared by NAK Design Strategies, dated March 2019.
- Preliminary Concepts for the Secondary Mixed-Use Node (Block 583) and all future medium density residential blocks (i.e. Blocks 575, 584, 585 and 586), prepared by Korsiak Urban Planning, dated March 21 and 22, 2019.
- Proposed Sitings for Lots 452, 214 and 202.
- Revised draft zoning by-law and Schedule A, dated March 15, 2019.

## Discussion

### Planning Policy

The subject lands are located within the Boyne Survey and are designated Residential Area, Greenlands A Area and Parkway Belt West Plan Area on Schedule B – Urban Area Land Use Plan of the Town's Official Plan. The Residential Area designation means that uses shall be primarily low to medium density residential dwellings. The Greenlands A designation is applied to land and water areas that are included in

Regulatory Flood Plains, as determined by the applicable Conservation Authority, are classified as a Provincially Significant Wetland, and significant valley lands or significant portions of the habitat of endangered and threatened species. The Parkway Belt West Plan area designation not only reserves lands for future transportation, communication and utility facilities, but also protects major natural features, such as streams and valleys (e.g. the Sixteen Mile Creek Branch that traverses the subject lands) for open space linkage opportunities through communities.

Additionally, the lands are located within the Boyne Survey Secondary Plan and are designated Residential Area, Natural Heritage System, Secondary Mixed Use Node, Minor Sub-Node Area and Neighbourhood Centre Area as shown on Schedule C.10.C – Boyne Survey Secondary Plan Land Use Plan. This schedule also highlights that the community connector (bridge crossing) is located on the subject lands.

Similar to the general Official Plan policies, a mix of residential dwelling units and densities are permitted with the Residential Area Designation. Secondary Mixed Use Nodes provide a range of commercial uses to serve the surrounding residential areas, including a major food store, as well as a location for office, and institutional uses and a full range of medium to high residential uses. The Minor Sub-Node Area designation is typically for concentrations of mixed uses and higher residential densities at key intersection locations. The Neighbourhood Centre Area designation is intended primarily for community uses and public/private facilities which serve the neighbourhood as a whole, including elementary schools and parks. The Natural Heritage System designation applies to the Sixteen Mile Creek valley and woodlands ensuring the protection, preservation and enhancements of the key features, buffers and linkages of which it is composed. Public facilities such stormwater management ponds are permitted in any designation.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

**Zoning By-law 016-2014, as amended:**

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS) in By-law 016-2014, as amended. Both of the existing Zones, only permit uses that legally existed on the date the Zoning By-law came into effect. In order to facilitate the proposed plan of subdivision, a zoning amendment is required.

The revised application seeks to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to a site-specific Residential Medium Density 1 (RMD1\*AAA) Zone, two site-specific Residential Medium Density 2 (RMD2\*BBB and RMD2\*CCC) Zones, a site-specific Mixed Use (MU\*DDD)



Zone (i.e. only that portion of the larger mixed use block that is located on the subject lands), a site-specific Minor Institutional (I-A\*EEE) Zone (i.e. for one full block and one partial block), Open Space (OS) Zone, four Open Space 2 (OS-2) Zones (i.e. stormwater management ponds), and a refined Natural Heritage System (NHS) Zone to permit the development of a residential plan of subdivision. The revised zoning by-law amendment proposed to reflect the redline revisions, is attached as Appendix 1.

### Site Plan Control

Should the application be approved, site plan approval will be required for the future medium density residential blocks, the Secondary Mixed Use Node, the school blocks and potentially the neighbourhood park block, prior to the commencement of any development.

### Public Consultation and Review Process:

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on April 11, 2019. The application was circulated to internal departments and external agencies on March 29, 2019 with a commenting deadline of April 18, 2019.

Staff anticipates that a technical report with recommendations will be brought forward for Council consideration on May 27, 2019, as the technical review and evaluation is nearing completion. The technical report will also include a finalized zoning by-law amendment relating to the subject lands.

### Financial Impact

None arising from this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO  
Commissioner, Planning and Development

For questions, please contact: Angela Janzen, Planner 905-878-7252 x2310

### Attachments

Figure 1:	Location Map
Figure 2:	Proposed Redlined Draft Plan
Appendix 1:	Revised Draft Zoning By-law



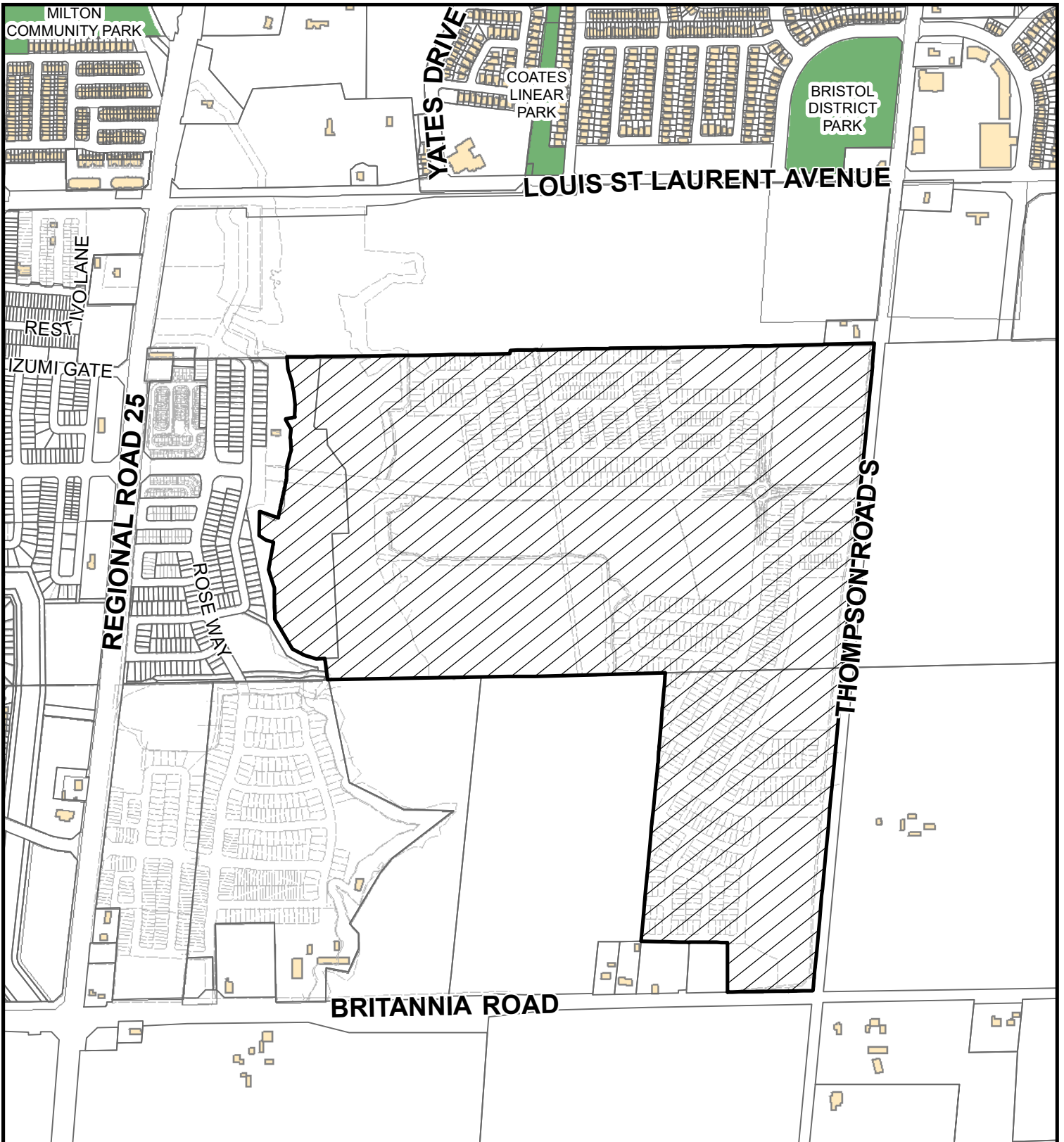
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CAO Approval  
William Mann, MCIP, RPP, OALA, CSLA, MCIF, RPF  
Chief Administrative Officer

# FIGURE 1 LOCATION MAP



Council Meeting Date:  
May 6, 2019

Scale: 1: 10,000

File: Z-14/17  
24T-17002/M

Planning & Development Department



Subject Property

FIGURE 2  
PD-022-19

DRAFT PLAN OF SUBDIVISION  
FILE 24T - 17002/M REVISED

PART OF LOT 6 & 7,  
CONCESSION 3, NEW SURVEY

(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)  
TOWN OF MILTON  
REGIONAL MUNICIPALITY OF HALTON

MATTAMY - MARTIN EAST  
COBBAN NEIGHBOURHOOD

OWNER'S AUTHORIZATION

I HEREBY AUTHORIZE KORSIK URBAN PLANNING TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED *Michael Vernooij* DATE December 21, 2016  
Michael Vernooij  
Mattamy (Brownridge) Limited  
433 Steeles Avenue East, Suite 110  
Milton, Ontario L9T 8Z4  
Tel: (905) 203-3972 Fax: (905) 203-3901

SURVEYOR'S 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 *Ross DenBroeder* DATE December 21, 2016  
Ross DenBroeder, Ontario Land Surveyor  
RADY-PENITEK & EDWARD SURVEYING LTD.  
ONTARIO LAND SURVEYORS  
645 CHRISLEA ROAD, SUITE 7, WOODBRIDGE, ONTARIO L4L 8A3  
Tel: (416) 935-5000 Fax: (416) 935-5001

ADDITIONAL INFORMATION (UNDER SECTION 51 (17) OF THE PLANNING ACT)

- A) SHOWN ON PLAN
- B) SHOWN ON PLAN
- C) SHOWN ON PLAN
- D) SHOWN ON PLAN
- E) SHOWN ON PLAN
- F) SHOWN ON PLAN
- G) SHOWN ON PLAN
- H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
- I) CLAY LOAM
- J) SHOWN ON PLAN
- K) SANITARY AND STORM SEWERS TO BE PROVIDED
- L) SHOWN ON PLAN

LAND USE SCHEDULE

Land Use	Blocks	Block Total	Area (ha)	Units
Detached Residential	<del>1-558-621</del> 1-186, 191-399, 398-402, 422-558, 562-572, 621	<del>569</del> 519	<del>1741.16</del> 1619.398	<del>558</del> 519
Townhouse	<del>559-569</del> 167-190, 390-397, 403-410, 561	<del>149</del> 199	<del>245.4</del> 245.4	<del>149</del> 199
Back to Back Townhouse	<del>570-576</del> 411-421, 559, 560, 573, 574	<del>148</del> 136	<del>140</del> 136	<del>148</del> 136
Walkway	577-579	3	0.03	
Union Gas Pipeline	580-582	3	0.31	
SMU Node Block	583	1	2.00	TBD
Medium Density Residential	575, 584, 585	3	3.99	TBD
Medium-High Density Residential	586	1	3.23	TBD
Elementary School	587, 588	2	3.55	
Neighbourhood Park	589	1	3.56	
SWM Pond	590-593	4	7.78	
16 Mile Creek Valley	594, 595	2	11.74	
Environmental Buffer	596-598	3	0.99	
Woodlot	599	1	7.91	
Woodlot Buffer	600	1	0.69	
Trail Buffer Block	639, 640	2	0.28	
Grading Block	<del>601-607</del> 601, 602, 605, 606, 608	<del>7</del> 5	<del>0.16</del> 0.16	
Servicing Block	<del>608-611</del> 609-611	<del>3</del> 3	<del>0.18</del> 0.18	
SWM Pond Buffer Block	<del>612-615</del> 612-614	<del>3</del> 3	<del>0.23</del> 0.23	
Residential Reserve	616-624	9	0.32	1
0.3m Reserve	603, 604, 607, 625-636	12	0.00	
Road Widening	637, 638	2	1.51	
16.0m ROW (546m) 5382m			8.89	
20.0m ROW (899m)			1.44	
24.0m ROW (573m)			0.89	
24.5m ROW (254m)			0.63	
26.0m ROW (1078m)			2.86	
<b>Total</b>	<del>340</del> 1-575, 577-614, 616-640	<del>640</del> 638	84.31	<del>856</del> 854

DATE [D.M.Y.]	REVISION	DWG	BY
08/03/19	Redline	E	SP
15/10/18	Resubmission	E	SP
12/10/18	General Revisions	D	SP
21/09/18	Resubmission	D	SP
08/08/18	Resubmission	C	SP
26/10/17	Resubmission	B	LC
11/08/17	General Revisions	B	SP
20/12/16	Original Submission	A	LC

NOTES:  
\* Local/Local corner radii = 5m \* Collector/Arterial corner triangle = 10m  
\* Local/Collector corner radii = 7m \* Pavement illustration is diagrammatic  
\* Collector/Collector corner radii = 10m

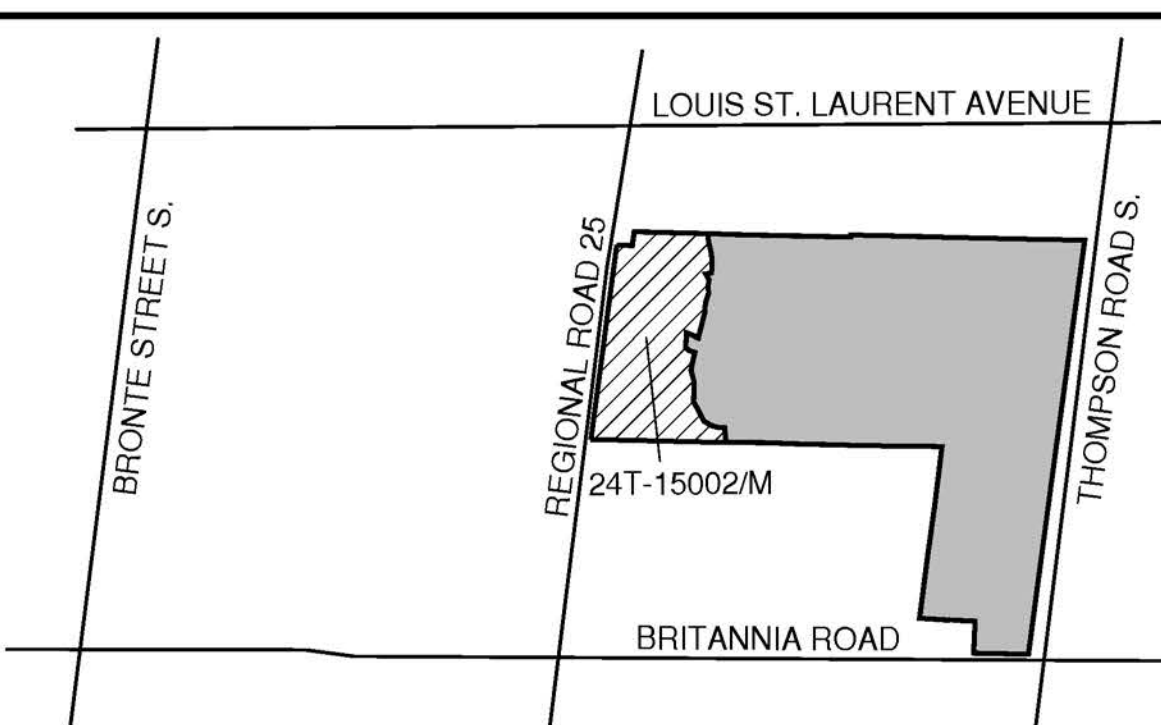


SCALE 1:2500 October 15, 2018  
March 22, 2019  
DRAWN BY: SP CHECKED BY: KC



Unit Type	Blocks	Units	SDE*
Detached	<del>1-558-621</del> 1-186, 191-399, 398-402, 422-558, 562-572, 621	<del>569</del> 519	<del>558</del> 519
Townhouse	<del>559-569</del> 167-190, 390-397, 403-410, 561	<del>149</del> 199	<del>148</del> 145.3
Back-to-Back Townhouses	<del>570-576</del> 411-421, 559, 560, 573, 574	<del>148</del> 136	<del>140</del> 68
SMU Node Block	583	TBD	TBD
Medium Density Residential	575, 584, 585	TBD	TBD
Medium-High Density Residential	586	TBD	TBD
<b>Total</b>		<del>856</del> 854	<del>741</del> 732.3

\* SDE Factors:  
Detached - 1.00  
Townhouse - 0.73  
Back-to-Back Townhouse - 0.50



KEY MAP  
N.T.S.  
SUBJECT PROPERTY  
ADDITIONAL LANDS OWNED BY APPLICANT

s:\korsiak & company\milton phase 3\martin east\draft plans\oct 18\martin east dp-oct 15 18\_redline\_version e-mar-23-19.dwg



**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. \*\*\*-2019**

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 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE Z-14/17

**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 Future Development (FD) and Natural Heritage System (NHS) symbol to the Residential Medium Density 1 - Special Section AAA (RMD1\*AAA) Zone, Residential Medium Density 2 - Special Section BBB (RMD2\*BBB) Zone, Residential High Density - Special Section CCC (RHD\*CCC) Zone, Mixed Use – Special Section DDD (MU\*DDD) Zone, Institutional A – Special Section EEE (I-A\*EEE) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.AAA as follows:

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

- i) Special Site Provisions Applicable to All Dwelling Types
  - a. 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.
  - b. For the purpose of this by-law, the 0.3m reserve shall be considered part of the lot for measuring setbacks and having frontage on a public street.
  - c. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
  - d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.

- e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 1.2 metres from a lot line, except where a parking area abuts a sidewalk, the setback shall be a minimum of 1.5 metres.
- ii) Notwithstanding any provisions to the contrary, for Detached Dwellings – Street Access (All Types) the following shall apply:
- a. In the case of a staggered double car garage:
    - i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.
    - ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.
  - b. 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.
  - 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 metres from their intersection.
  - e. Notwithstanding Section 5.6.2 iv), a structural wall or post, supporting a roof, balcony, or living space located over a driveway, may encroach into the minimum driveway width provided there is an unobstructed parking width of 2.75m.
  - f. 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, and further that, for the purposes of this By-Law, Bay and Boxed Window shall mean a window that projects outwards from an exterior wall of a building, which may or may not have a foundation, and which may or may not include a door, and which may or may not have windows at the side projection(s).
- 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 porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation. Section 6.3.1.1 iv) and v) shall not apply.
  - c. In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
  - d. Second storey boxed/bay windows shall be permitted in a required interior

side yard for interior lots adjacent to a corner lot on a roundabout.

- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot, the following shall apply:
- a. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - b. 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.
  - c. At the intersection of two local public or private streets:
    - iv. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - v. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - d. 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.
  - e. In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres.
  - f. The garage portion of the elevation may project beyond the dwelling face or porch/veranda portion of the elevation.
  - g. For the detached dwelling units that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
    - a. The yard abutting Whitlock Avenue shall be deemed to be the front yard;
    - b. Minimum Interior Side Yard Setback: 7.0 metres
    - c. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres
    - d. A residential driveway can extend into a rear yard or interior side yard to access an attached garage, provided that the driveway does not extend beyond the garage face.
  - h. For the detached dwelling units that are located at the corner of Logan Drive and the roundabout, the following additional provisions shall apply:
    - a. The yard abutting Logan Drive shall be deemed to be the front yard;
    - b. Minimum Interior Side Yard Setback: 6.5 metres
    - c. Minimum Rear Yard Setback to the dwelling (excluding the garage): 5.5 metres
    - d. A residential driveway can extend into a rear yard or interior side

yard to access an attached garage, provided that the driveway does not extend beyond the garage face.

v) Notwithstanding any provisions to the contrary, for Detached Dwelling – Private Street, Rear Access, the following shall apply:

- a. Lot depth (minimum), all unit types – 18.0 metres
- b. Rear yard setback (minimum), all unit types – 1.0 metre
- c. Notwithstanding Section v) b. 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.
- d. Notwithstanding the provisions of Section 4.19 to the contrary, a building or structure with access to a public lane or private street shall be deemed to conform to the requirements of Section 4.19, and further that Front Lot Line shall mean the following:  
*Notwithstanding the definitions of front and rear lot line in Section 3, where a lot does not have frontage on a public street, the lot line abutting the lane or private street that provides access to the garage shall be deemed to be the rear lot line. The front lot line shall be deemed opposite the rear lot line.*
- e. Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of two local public or private street lines, no part of any residential driveway shall be located closer than 3.0 metres from the point of intersection of the two street lines.
- f. Notwithstanding Section 5.6.2 iv) d), a maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.

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

- a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
- b. 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.
- c. Notwithstanding Section 5.6.2 iv), a structural wall or post, supporting a roof, balcony, or living space located over a driveway, may encroach into the minimum driveway width provided there is an unobstructed parking width of 2.75m.
- 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, and further that, for the purposes of this By-Law, Bay and Boxed Window shall mean a window that projects outwards from an exterior wall of a building, which may or may not have a foundation, and which may or may not include a door, and which may or may not have windows at the side projection(s).

- vii) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Private Street, Rear Access, the following shall apply:
- a. For all lane-based townhouses, the yard where the driveway is located is deemed to be the rear yard.
  - b. Minimum Lot depth (all unit types): 18.0 metres
  - c. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide
  - d. Rear yard setback (minimum), all unit types – 1.0 metre
  - e. Notwithstanding Section vii) 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.
  - f. The minimum required outdoor amenity area per unit is 10 m<sup>2</sup>, to be provided on a balcony.
  - g. 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.
  - h. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
  - i. For corner lots at the intersection of two street lines, no part of any residential driveway shall be located closer than 3.0 metres from the point of intersection of the two street lines.
  - j. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
  - k. Section 5.6.2 viii b) shall not apply.
  - l. Notwithstanding any provisions to the contrary, only 2 visitor parking spaces will be required for a condominium block consisting entirely of rear access townhouse units fronting a public street.

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

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

- i) Special Site Provisions
- a. 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.
  - b. For the purpose of this by-law, the 0.3m reserve shall be considered part of the lot for measuring setbacks and having frontage on a public street.
  - c. Within a plan of condominium, visitor parking shall be provided at a rate of 0.25 parking spaces per unit.
  - d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.

- e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts a sidewalk the setback shall be a minimum of 1.5 metres.
  - f. For the purposes of this by-law, a balcony means a platform that may be partially enclosed projecting from the main wall of a building which may not be 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.
- ii) 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. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.
  - d. The minimum required outdoor amenity area per unit is 6 m<sup>2</sup>, to be provided on a balcony.
  - e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.
  - f. For a corner unit at the intersection of two local public or private streets:
    - a. Notwithstanding Section 4.2.2.1 iii), to the contrary, the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - b. Notwithstanding Section 5.6.2 iii), to the contrary, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - g. 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.
  - h. Notwithstanding Section 5.6.2 iv), a structural wall or post, supporting a roof, balcony, or living space located over a driveway, may encroach into the minimum driveway width provided there is an unobstructed parking width of 2.75m.
  - i. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front yard or required exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior lot line.
  - j. 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, and further that, for the purposes of this By-Law, Bay and Boxed Window shall mean a window that projects outwards from an exterior wall of a building, which may or may not have a foundation, and which may or may not have windows at the side projection(s).

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

## Residential High Density - Special Section CCC (RHD\*CCC) Zone

- i) Notwithstanding the Zone Regulations of Section 6.1, Table 6A, to the contrary, the following uses shall be permitted in this zone subject to the zone regulations of RMD1\*AAA:
  - a. Dwelling, Detached, Private Street, Rear Access
  - b. Dwelling, Townhouse, Street Access
  - c. Dwelling, Townhouse, Private Street, Rear Access
- ii) Notwithstanding the Zone Regulations of Section 6.1, Table 6A, to the contrary, the following uses shall be permitted in this zone subject to the zone regulations of RMD2\*BBB:
  - a. Dwelling, Back-to-Back Townhouse
  - b. Dwelling, Multiple
- iii) Special Site Provisions
  - a. 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.
  - b. For the purpose of this by-law, the 0.3m reserve shall be considered part of the lot for measuring setbacks and having frontage on a public street.
  - c. Within a plan of condominium, visitor parking shall be provided at a rate of 0.23 parking spaces per unit.
  - d. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
  - e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts a sidewalk the setback shall be a minimum of 1.5 metres.
  - f. For the purposes of this by-law, a balcony means a platform that may be partially enclosed projecting from the main wall of a building which may not be 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.
- iv) Notwithstanding any provisions to the contrary, for Apartment Dwellings, the following shall apply:
  - a. Front Yard Setback (minimum): 6 metres
  - b. Interior Side Yard Setback (minimum): 4 metres
  - c. Rear Yard Setback (minimum): 9 metres
  - d. Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement for an Apartment Building shall be:
    - i. 1 parking space per 1 bedroom dwelling unit;
    - ii. 1.25 parking spaces per 2+ bedroom dwelling unit;
    - iii. plus visitor parking.
  - e. Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 m of a street line or lot line.

- f. Notwithstanding Section 5.14.3 to the contrary, the entrance or exit ramp may be located within 0.0m of a street line.
- g. Notwithstanding Section 14.9.5, Table 4H, stairs and air vents associated with an underground parking structure shall be permitted in any yard.

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

**Mixed Use - Special Section DDD (MU\*DDD) Zone**

- i) Notwithstanding the Zone Regulations of Section 6.1, Table 6A-1, to the contrary, the following uses shall be permitted in this zone subject to the zone regulations of RMD1\*AAA, in conjunction with an apartment or mixed-use building or stacked townhouses:
  - i. Dwelling, Townhouse, Street Access
  - ii. Dwelling, Townhouse, Private Street, Rear Access
- ii) Notwithstanding the Zone Regulations of Section 6.1, Table 6A-1, to the contrary, the following uses shall be permitted in this zone subject to the zone regulations of RMD2\*BBB, in conjunction with an apartment or mixed-use building or stacked townhouses:
  - i. Dwelling, Back-to-Back Townhouse
- iii) The number of grade-related dwelling units shall not exceed 20% of the total number of dwelling units within a block zoned MU\*DDD.
- iv) The Zone Regulations of Section 6.2, Table 6F, shall only apply to apartment or mixed-use buildings and shall not apply to grade-related dwelling units.
- v) Notwithstanding any provisions to the contrary, the following shall apply:
  - a. For the purpose of this by-law, the 0.3m reserve shall be considered part of the lot for measuring setbacks and having frontage on a public street.
  - b. The minimum landscape area for the overall site shall be 25%.
  - c. The maximum main wall length is 100 metres, however any contiguous portion of a building 6 storeys or higher abutting a public road may not exceed 60 metres in length.
  - d. Balconies oriented toward an arterial road are permitted above 3 metres from established grade.
  - e. Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement for an Apartment Building and Mixed-Use Building shall be:
    - iv. 1 parking space per 1 bedroom dwelling unit;
    - v. 1.25 parking spaces per 2+ bedroom dwelling unit;
    - vi. plus visitor parking.
  - f. Notwithstanding Section 5.8.1, Table 5E, the parking requirement for Multiple Dwellings (stacked townhouses) shall be a minimum of 1.5 spaces per dwelling unit, plus visitor parking.



- g. Within a plan of condominium, visitor parking shall be provided at a rate of 0.23 parking spaces per unit.
- h. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0 metres of a street line.
- i. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback a minimum of 1.2 metres from a lot line, except where a parking area abuts:
  - i. a sidewalk, the setback shall be a minimum of 1.5 metres; and,
  - ii. a lot line adjacent to Thompson Road, the setback shall be a minimum of 2.4 metres.
- j. Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 m of a street line or lot line.
- k. Notwithstanding Section 5.14.3 to the contrary, the entrance or exit ramp may be located within 0.0m of a street line.
- l. Notwithstanding Section 14.9.5, Table 4H, stairs and air vents associated with an underground parking structure shall be permitted in any yard.
- m. For the purposes 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.

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

- i) Notwithstanding the Zone Regulations of Section 9.1, Table 9A, to the contrary, the following Zone Regulations shall also apply in the Minor Institutional (I-A) Zone:
  - a. In addition to the uses permitted in Minor Institutional (I-A) Zone, RMD1 uses in accordance with the provisions of RMD1\*AAA, and RMD2 uses in accordance with the provisions of RMD2\*BBB shall be permitted.
- ii) Notwithstanding the Zone Regulations of Section 9.2, Table 9B, to the contrary, the following Zone Regulations shall also apply in the Minor Institutional (I-A) Zone:
  - a. Maximum building height for Elementary School: 12.6 m

7. **AND 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 Board's Order is issued directing the amendment or amendments.

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

**\*\* day of \*\*\*\*\*, 2019**

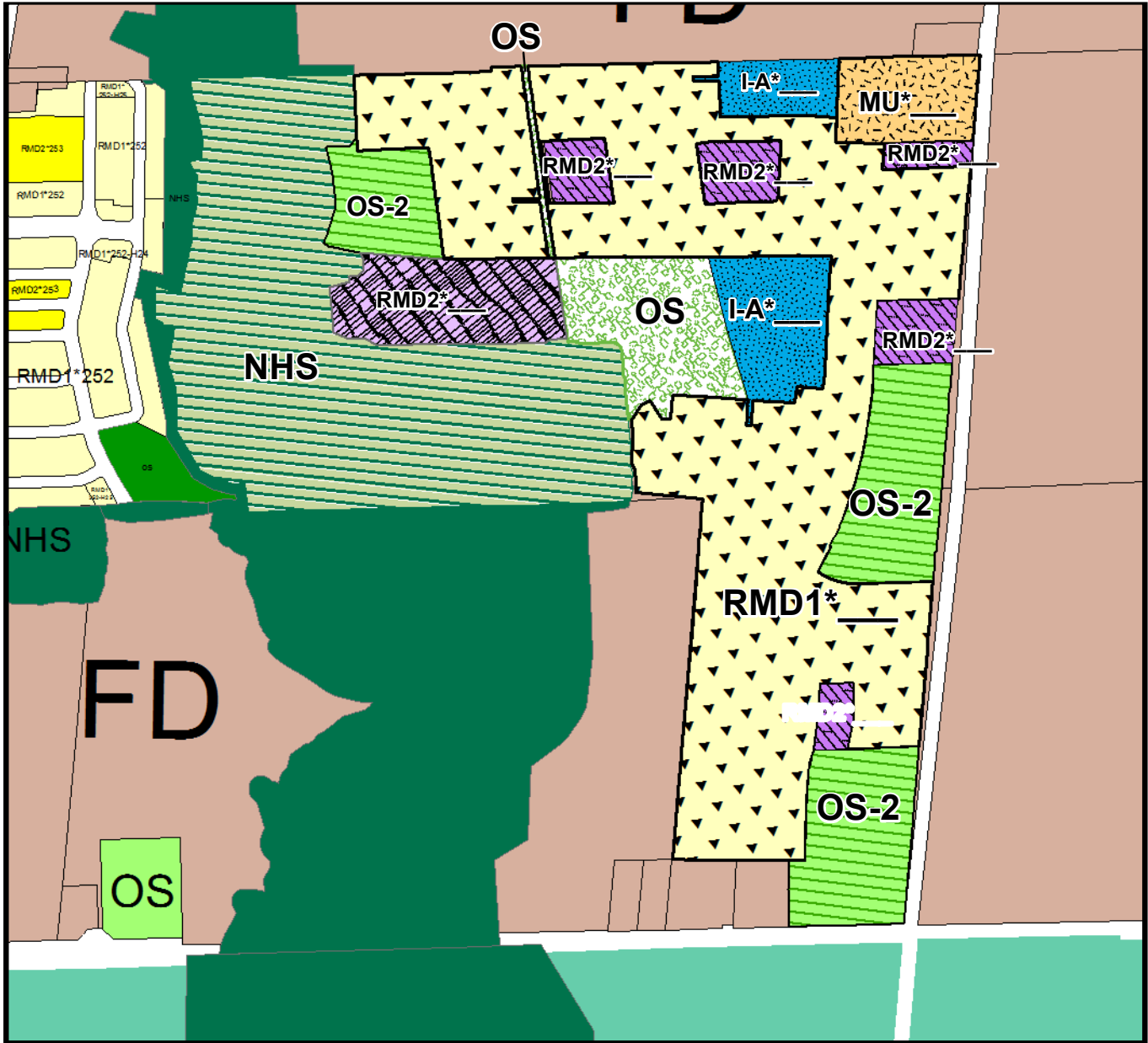
\_\_\_\_\_  
**Gordon A. Krantz** Mayor

\_\_\_\_\_  
**Troy McHarg** Town Clerk

SCHEDULE A  
TO BY-LAW No. -2019

TOWN OF MILTON








PART OF LOT 6 & 7, CONCESSION 3 NS  
PART OF PART 1 ON 20R17348 AND PART OF PARTS 2-4 20R17642  
AND PART OF PARTS 1-4 ON RP 20R18391 EXCEPT PART 1 ON RP 20R18033  
Town of Milton



THIS IS SCHEDULE A  
TO BY-LAW NO. -2019 PASSED  
THIS \_\_\_ DAY OF \_\_\_\_\_, 2019.

MAYOR - Gordon A. Krantz

ACTING CLERK - William Roberts

-  I-A\* \_\_\_ - Minor Institutional Zone Special
-  NHS - Natural Heritage System Zone
-  OS - Open Space Zone
-  OS-2 - Open Space 2 Zone
-  RMD1\* \_\_\_ - Medium Density Residential 1 Zone Special
-  RMD2\* \_\_\_ - Medium Density Residential 2 Zone Special
-  RMD2\* \_\_\_ - Medium Density Residential 2 Zone Special

