



The Corporation of the Town of Milton

Report To: Council

From: Barbara Koopmans, Commissioner, Planning and Development

Date: July 8, 2019

Report No: PD-034-19

Subject: Technical Report - Proposed Plan of Subdivision and Amendments to the Zoning By-law by Mattamy (Milton West) Limited "Mattamy Varga" to permit the development of a mixed-use plan of subdivision (Town Files: 24T-14014/M and Z-19/14)

Recommendation: THAT the Town of Milton Council supports the granting of Draft Plan Approval by the Commissioner of Planning and Development for the proposed plan of subdivision, subject to the standard and any site-specific Draft Plan Conditions (24T-14014/M and Z-19/14 "Mattamy Varga");

AND THAT application Z-19/14 for an amendment to the Comprehensive Town of Milton Zoning By-law 016-2014, as amended, to change the Future Development (FD) and Natural Heritage System (NHS) Zones to Residential Medium Density 1 - Special Section 269 (RMD1*269); Residential Medium Density 2 - Special Section 270 (RMD2*270), Mixed Use - Special Section 271 (MU*271), Minor Institutional - Special Section 272 (I-A*272), Open Space (OS), Open Space 2 (OS-2) and Natural Heritage System (NHS) Zones along with Holding (H) symbols H18, H34, H35, H38 and H39, applicable to specific lots, on the subject lands to permit the development of a residential/mixed-use plan of subdivision, BE APPROVED

AND THAT staff be authorized to bring forward an amending Zoning By-law attached as Appendix 1 to this report for Council adoption;

AND THAT WHEREAS the Planning Act limits the ability to apply for a minor variance for a two-year period following approval of this By-law, BE IT RESOLVED that a privately initiated application for minor variance may be made.



EXECUTIVE SUMMARY

The applicant has requested an amendment to the Town of Milton Zoning 016-2014, as amended, to change the zoning applicable to the subject lands in order to permit the development of a residential/mixed-use plan of subdivision on the lands.

The plan of subdivision proposes a total of 505 units consisting of 358 single-detached dwelling units, 81 street townhouse units and 66 back-to-back townhouse units. In addition, the plan includes a major node block, two institutional blocks (for a proposed public elementary school and Catholic elementary school), a stormwater management block, a wetland block, a meadow marsh block, a watercourse block, a natural heritage system block including a trail block, a neighbourhood park block, open space blocks and various residential reserve blocks, buffer blocks, road widening blocks along Tremaine Road and an internal road system.

Conclusions and Recommendations

Staff is satisfied that the plan of subdivision processed under file 24T-14014/M, subject to standard and site-specific conditions, conforms to Provincial, Regional and Town planning policy and achieves acceptable engineering and design standards. In addition, Planning staff is satisfied that the proposed Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans. Therefore, staff recommends approval of the Zoning By-law Amendment attached as Appendix 1.

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 between Britannia Road and Louis St. Laurent Avenue, east of Tremaine Road. The lands are legally described as Part of Lot 7, Concession 1, Former Geographic Survey of Trafalgar. The location of the property is illustrated in Figure 1 attached to this report.

The subject property is approximately 40.19 ha in size. The land is generally flat agricultural crop land, traversed by a tributary of the Indian Creek. The lands are vacant with frontage of approximately 531 metres along Tremaine Road.

Background

The lands west of Tremaine Road have been identified for the Milton Education Village and are currently the subject of a secondary plan process. To the east, south and north, the property abuts future residential lands for which plans of subdivision and zoning amendment applications have been submitted. Part of the property is within 300 metres of the CN Railway main line, which is located to the east of the subject lands.

Proposal

The applicant has requested an amendment to the Town of Milton Zoning 016-2014, as amended to change the zoning applicable to the subject lands in order to permit the development of a residential/mixed-use plan of subdivision on the lands as illustrated on Figure 2 to this report.

Accordingly, the applicant is seeking to change the existing Future Development (FD) and Natural Heritage System (NHS) Zones to Residential Medium Density 1 - Special Section 269 (RMD1*269); Residential Medium Density 2 - Special Section 270 (RMD2*270), Mixed Use - Special Section 271 (MU*271), Minor Institutional - Special Section 272 (I-A*272), Open Space (OS), Open Space 2 (OS-2) and Natural Heritage System (NHS) Zones along with Holding (H) symbols H18, H34, H35, H38 and H39, applicable to specific lots, as illustrated on Appendix 1 to this report.

The plan of subdivision consists of residential development with a variety of housing types, a higher density Major Node block, a stormwater management pond, a natural heritage system consisting of a wetland block, a meadow marsh block, watercourse block and associated buffer blocks and a trail. There are also two institutional blocks on the plan. The most southern block (Block 384) will be consolidated with lands to the south (i.e. Pony Pines subdivision) to allow for the development of a public elementary school. The second block (Block 383) will allow for the development of a Catholic elementary school. In addition, a neighborhood park block (Block 385) is proposed to be situated central to the plan, between the proposed two school blocks, which in turn will serve to complement the proposed school uses.

The Major Node block (Block 382) is proposed to be developed for high density residential uses. A specific proposal has been provided at this time and the block is proposed to be placed in a site specific Mixed Use (MU*271) Zone. The proposed concept for this node is for the development of four 6-storey buildings with a total of 504 residential units. Three of the four buildings proposed are purposed-designed residential apartment buildings whereas one is proposed to be a mixed-use building with approximately 1,002 square metres (10, 785 square feet) of commercial/retail space on the ground floor and five storeys of residential above. The concept plan is attached as Figure 3.

Background

The proposed site-specific zone is consistent with and implements the direction and policies as set out in Specific Policy Area (SPA) # 32 applicable to the subject lands. SPA #32 permits residential and mixed use buildings up to fifteen storeys in height with a maximum density of 200 units per net hectare and maximum Floor Space Index of 3.0. Also, a minimum gross floor area of 930 sq. metres of retail and service commercial uses in a mixed use building is permitted.

The following information has been submitted in support of the applications:

- Draft Plan of Subdivision Version 'H', prepared by Korsiak and Associates, dated May 10, 2019;
- Planning Justification Report, prepared by Korsiak and Associates, dated March 29, 2018;
- Draft Zoning By-law, prepared by Korsiak and Associates, dated March 29, 2018, revised April 12, 2019;
- Arborist Report prepared by LGL Limited dated February 2019
- Stage 1-2 Archaeological Assessment Varga Property, Part Lot 7, Concession 1, Geographic Township of Trafalgar (North), prepared by Golder Associates Ltd., dated May 2, 2013;
- Stage 3 Archaeological Assessment, Revised Report, for Varga property, Part Lot 7, Concession 1, Geographic Township of Trafalgar (North), prepared by Golder Associates Ltd., dated July 17, 2017;
- Stage 3 Archaeological Assessment, Revised Supplementary Documentation, for Varga property, Part Lot 7, Concession 1, Geographic Township of Trafalgar (North), prepared by Golder Associates Ltd., dated July 17, 2017;
- Stage 4 Archaeological Mitigation, Varga Property (AiGx-379), Part Lot 7, Concession 1, Geographic Township of Trafalgar, prepared by Golder Associates Ltd., dated October 21, 2013;
- Traffic Assessment Update for Mattamy Varga, prepared by GHD, dated March 26, 2018; updated May 13, 2019;
- Facility Fit Plan prepared by NAK Design dated February 2019
- Functional Servicing Report and Stormwater Management Report for the Mattamy - Varga Development, prepared by DESL, dated March 2017, revised March 2018; revised February 2019;
- Geotechnical Investigation Report Varga property, prepared by Shad & Associates Inc., dated May 12, 2017, revised February 5, 2019;
- Update Phase 1 Environmental Site Assessment, Part Lot 7, Concession 1, prepared by Pinchin Ltd., dated January 31, 2017;
- Noise Feasibility Study, Mattamy Varga, prepared by HGC Engineering, dated March 21, 2018, updated February 6, 2019 and May 10, 2019;
- Tree Inventory and Preservation Plan, prepared by LGL Limited, dated March 2018;
- Built Form Guidelines, prepared by NAK Design Strategies, dated March 26, 2018;

Background

Planning Policy

The subject lands are located within the Urban Area in the Boyne Survey Planning District. The lands are primarily designated Residential 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.

On Schedule C.10.C Land Use Schedule of the Boyne Survey Secondary Plan, the lands are designated Residential Area, Neighbourhood Centre Area and Natural Heritage System.

In addition, a portion of the subject lands (Block 382) were also re-designated through an official plan amendment that introduced a site-specific Major Node designation (Specific Policy Area (SPA) #32) at the southeast corner of Tremaine Road and the planned community collector road (Street "A" on draft plan). The Major Node area designation identifies areas intended for higher densities of residential and mixed-use development. SPA #32 permits residential and mixed use buildings up to fifteen storeys in height with a maximum density of 200 units per net hectare and a maximum Floor Space Index of 3.0. In addition, a minimum gross floor area of 930 sq. metres of retail and service commercial uses in a mixed use building is permitted.

The Natural Heritage System designation applies to a creek corridor bisecting the lands. The boundaries of these features are to be in accordance with the Subwatershed Impact Study for Block 1 and to the satisfaction of the Town, Conservation Halton and the Region of Halton.

The Residential Area designation permits a mix of residential dwelling units and densities. The Neighbourhood Centre Area designation is intended primarily for community uses and public/private facilities which serve the neighbourhood as a whole. Permitted uses include, among others, elementary schools and parks and open space systems including trails. Two school blocks, a neighbourhood park and a stormwater management pond are located within the Neighbourhood Centre Area. Stormwater management ponds are permitted in any designation.

Staff has reviewed the applications in relation to the policies of the Provincial Policy Statement (2014), the Growth Plan (2019), the Regional and Town Official Plans and the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan (July 2017) and the relevant Subwatershed Impact Study (SIS). Staff is satisfied that the application for the Zoning By-law Amendment conforms to the Provincial, Regional, and Town policies with respect to subdivision and zoning matters.

Background

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS), which does not permit a new residential plan of subdivision. An amendment to the Zoning By-law is required in order to allow the implementation of the proposed residential plan of subdivision as described above and to refine the NHS in accordance with the detailed studies undertaken as part of the Boyne Survey Secondary Plan and the subject application.

The draft amending Zoning By-law is attached as Appendix 1 to this report.

Site Plan Control

Should the application be approved, site plan approval will be required for the Major Node block, the medium density residential (Block 381) block which is proposed to be developed with condominium townhouses and the institutional (elementary schools) blocks prior to the commencement of any development.

Discussion

Public Consultation and Review Process

The initial public meeting for the applications was held on July 21, 2014. This public meeting dealt with a series of eleven plan of subdivision and associated zoning by-law amendment applications in Boyne, including the applications for the subject lands. Following a number of revisions to the original applications, a second public meeting was held on June 18, 2018. Notice for the public meetings were provided pursuant to the requirements of the Planning Act.

No members of the public spoke specifically to this application in July of 2014. In addition, no members of the public spoke to this application at the June 18, 2018 public meeting.

Agency Consultation and Revisions to the Draft Plan of Subdivision

Subsequent to the public meeting on June 18, 2018, a small number of technical revisions were made to the draft plan as a response to issues identified through the review process.

Accordingly, the following changes were made the draft plan:

- Lotting changes that resulted in changes to the housing unit types. Draft Plan (May 18, 2018) had proposed 370 single detached dwelling units, 52 street townhouse units and 66 back-to-back townhouse units which has since changed to the current

Discussion

- plan of 358 single detached dwelling units, 81 street townhouse units and 66 Back-to-back townhouse units.
- 0.3m reserves added, Tremaine Road widening accounted for, reduction in channel north of Street “A”, road network reconfiguration in northwest section of plan, and straightening of Kovachik Landing;
 - A concept plan for the Major Node has been provided as per Figure 3;
 - Trail separated out as own block (Block 410), conceptual bridge location widened, removed grading blocks along Tremaine and removed easement along Tremaine Road.

The internal/external agencies are overall satisfied with the revisions made to the draft plan and offer no objection to moving forward with draft plan approval and zoning by-law amendment subject to the inclusion of standard and site-specific draft plan conditions.

School Block Facility Fits

To ensure that the school blocks and neighbourhood park block were sufficient for the intended development, Town staff and the school boards reviewed a series of concepts to ensure that potential facility designs, individual and shared accesses, and parking could be accommodated. In addition, these concepts aided staff in the review of the proposed zoning by-law amendment, and was a basis for minor site-specific provisions for the Minor Institutional (I-A) Zone required to accommodate proposed arrangements on the school sites. In addition, a holding provision (H39) has been placed on the residential lots abutting the Catholic elementary school block (Block 383) in order to ensure that those respective lots cannot be developed to allow for more flexibility (if needed) for the ultimate school site design.

Transportation Requirements and Standards

Engineering staff noted concerns regarding land requirements for roundabouts and intersection alignments at the intersection of Street “A” and Street “B” on the draft plan. As a result of receiving on-going technical background information, and continuing detailed discussions with the applicant on these matters, staff is confident that all of the aforementioned concerns can be addressed to the Town’s satisfaction and have placed holding provisions on these affected lots in order to ensure that a roundabout could be accommodated properly.

Residential Medium Density 1 (RMD1) and 2 (RMD2) Site-Specific Zones

The amending by-law includes site-specific provisions relating to grade-related dwelling units including single detached dwellings, rear lane townhouse, street townhouse, and back-to-back townhouse dwellings, within the RMD1 and RMD2 Zones.

Discussion

Variations in frontage and depth requirements, along with setbacks and allowable encroachments have been proposed in certain instances to accommodate urban design features, siting of proposed dwellings created and marketed by the developer, and in some cases, the relationship to the street of lots that are irregular due to their proximity to roundabouts or located on a private street within a future residential block.

More specifically relating to the future medium density residential block, which will likely be of a condominium tenure, a provision was added to clarify that a “unit” within a condominium, on which a townhouse dwelling unit is situated, shall be considered a lot for administering Zoning By-law. In addition, parking rates to be applied to the condominium as well as how setbacks will be measured where the Town has added a reserve block to control access has been set out.

Major Node Block

A site specific proposal has been provided (Figure 3) for the development of the Major Node Block. As such, a number of site-specific zoning provisions to the Mixed Use Zone have been requested by the applicant related to urban and site design. Planning staff have assessed the provisions and have no objection to their adoption in the By-law.

Holding Provisions

Planning and Engineering staff have required through conditions of draft plan approval that specific lots in proximity to roundabouts, intersections and stormwater management ponds where designs have not been fully finalized; where road connections to adjacent subdivisions are not yet available; where lots may be affected by a preferred engineering solution and, where residential lots that do not comply with the zoning by-law are located (i.e. residential reserves that must be assembled with lands in the adjacent subdivision), be subject to holding provisions within the implementing by-law. These holding provisions would remain on these specific lots until such time as the works required to be completed in these areas have significantly advanced to the satisfaction of both the Planning and Engineering Departments. Lots subject to the holding provisions are also subject to a no sales agreement and cannot obtain a building permit until the applicable holding provision is lifted. The Commissioner of Planning and Development has the delegated authority to approve the applications to lift the holding provision, subject to a by-law being adopted by Council.

Based on the foregoing, staff is satisfied that the plan of subdivision processed under file 24T-14014/M, subject to standard and site-specific conditions, conforms to Provincial, Regional and Town planning policy and achieves acceptable engineering and design standards. In addition, Planning staff is satisfied that the proposed Zoning By-law



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Discussion

amendment is consistent with the policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans. Therefore, staff recommends approval of the Zoning By-law Amendment attached as Appendix 1.

Financial Impact

None arising from this Report

Respectfully submitted,

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

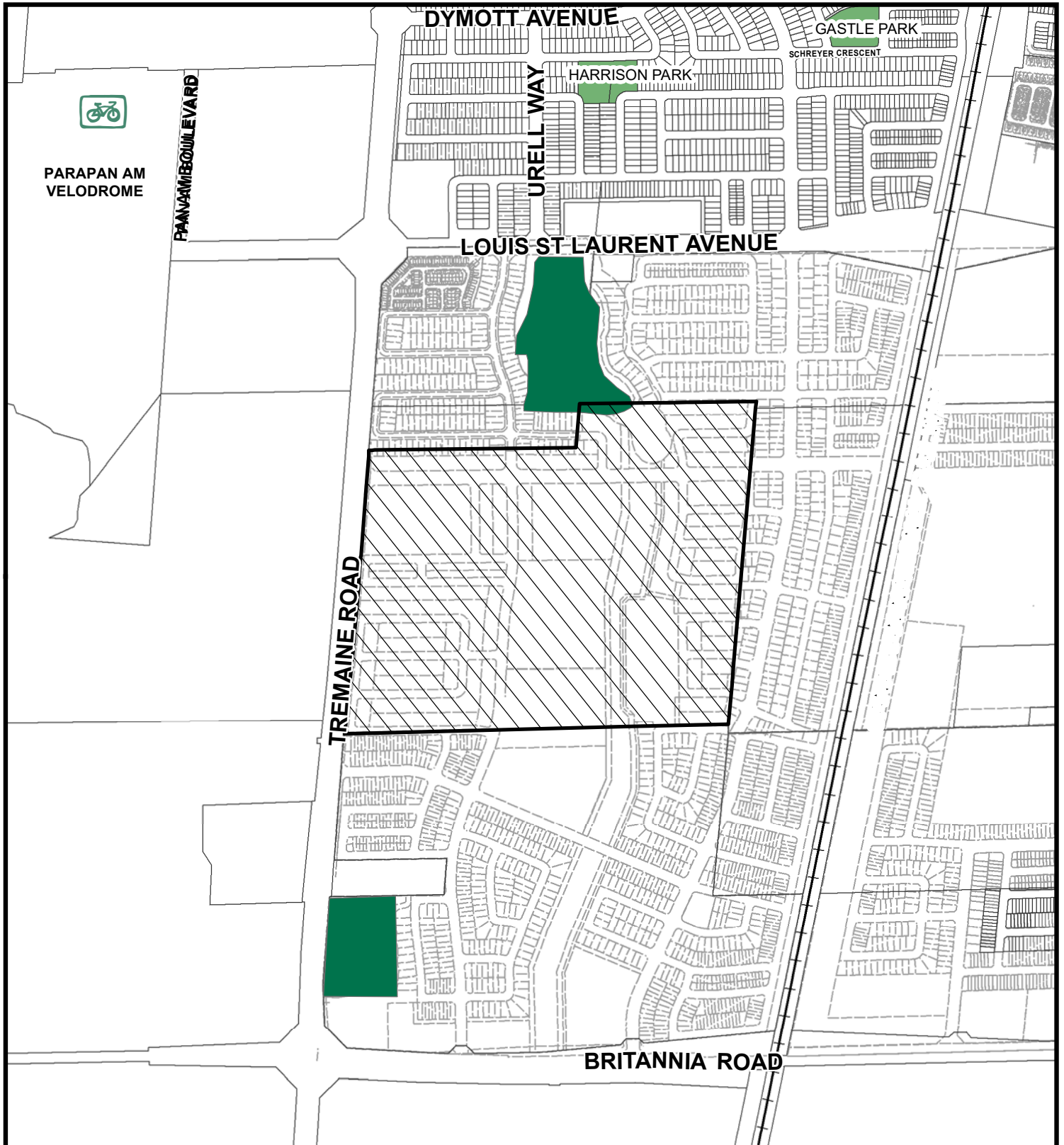
For questions, please contact: Christian Lupis, MCIP, RPP Phone: Ext. 2305

Attachments

Figure 1 – Location Map
Figure 2 – Draft Plan of Subdivision
Figure 3 – Concept Plan for Major Node Block (Block 382)
Appendix 1 – Draft Zoning By-law and Schedule A

CAO Approval
Andrew M. Siltala
Acting Chief Administrative Officer

FIGURE 1 LOCATION MAP



July 8, 2019

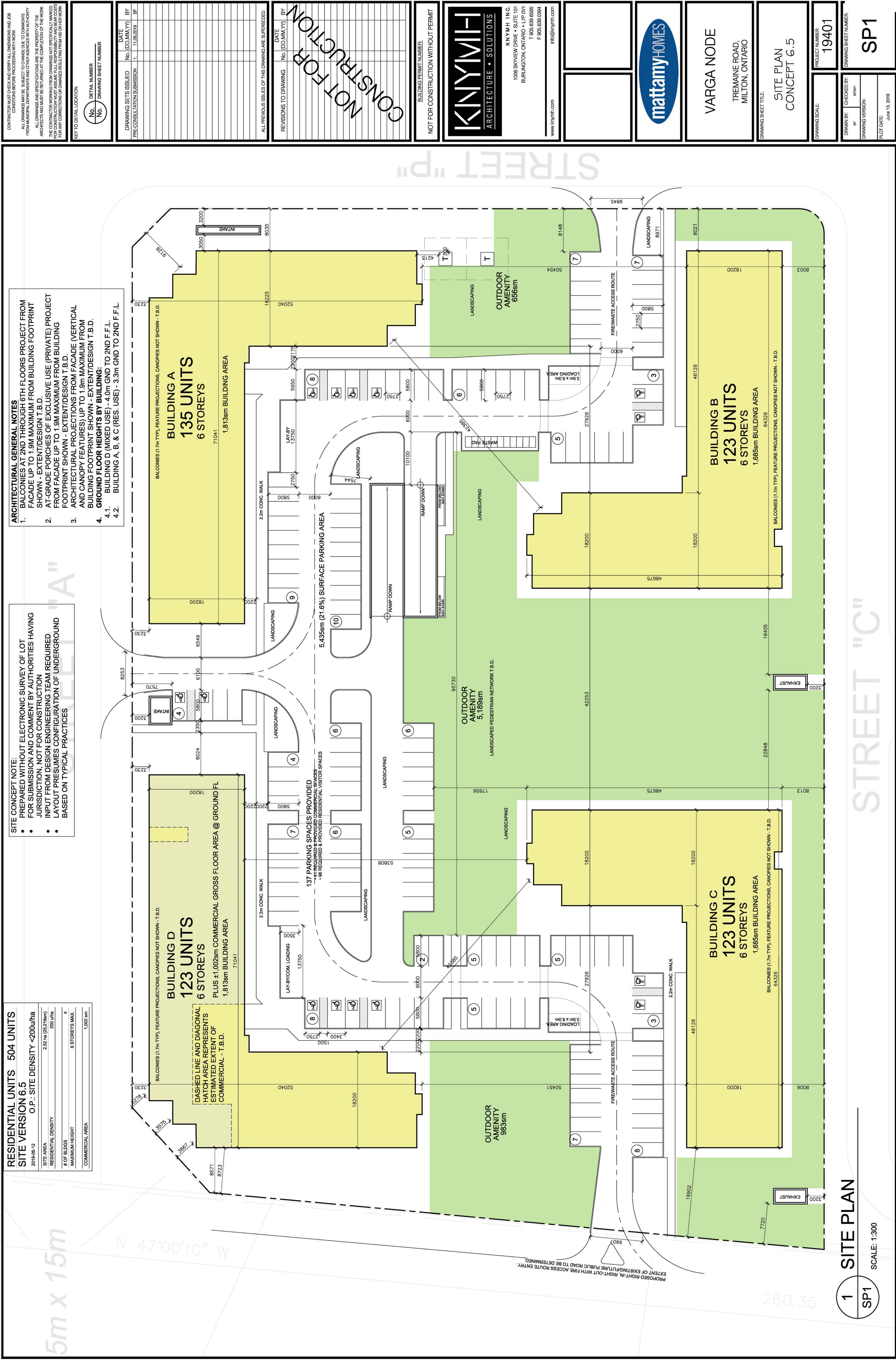
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File: Z-19-14
24T-14009/M

Planning & Development Department



Subject Property



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-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 7, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (MILTON WEST) LIMITED) -TOWN FILE: Z-19/14

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:

- 1.0 **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) Zone symbols to the Residential Medium Density 1 - Special Section (RMD1*269) Zone, Residential Medium Density 2 - Special Section (RMD2*270) Zone, Mixed Use - Special Section (MU*271) Zone, Minor Institutional - Special Section (I-A*272) Zone, Open Space 1 (OS) Zone, Open Space 2 (OS-2) Zone, and Natural Heritage System (NHS) Zone symbols on the land and adding Holding (H) symbols H18, H34, H35, H38 and H39 to each of the zone symbols on this property as shown on Schedule A attached hereto.
- 2.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H38 Holding Provision:

“H38” shall not be removed until:

 - a) The boundary of the Natural Heritage System (NHS) that includes Provincially Significant Wetland Block 386, and Wetland Buffer Blocks 387 and 388 has been confirmed to the satisfaction of the Town of Milton and Conservation Halton.
- 3.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H39 Holding Provision:

“H39” -shall not be removed until:

- a) A facility fit plan for Block 383 has been provided to the satisfaction of the Town of Milton.

4.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.269 as follows:

Residential Medium Density 1 - Special Section 269 (RMD1*269) 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, where the lot line of a lot abuts a reserve of 0.3 m 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. 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.
- 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. 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 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.
- c. Notwithstanding Section 6.3.1.1, 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:

- 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:
 - 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.
- d. Notwithstanding Section 6.3.1.1. iii) and iv), to the contrary, 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. Subsection v) shall continue to apply.
- e. Notwithstanding Section 6.3.1.1, 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, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
 - f. For the detached dwelling units that are located at the corner of Street A and the roundabout, the following additional provisions shall apply:
 - i. The yard abutting Street A shall be deemed to be the front yard;
 - ii. Minimum lot depth shall be measured along the interior lot line.
 - iii. Minimum Interior Side Yard Setback: 7.0 metres
 - iv. Minimum Rear Yard Setback to the dwelling (excluding the garage): 6.5 metres
 - v. 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 Townhouse Dwellings - 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. 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.
- vii) Notwithstanding any provisions to the contrary, for Townhouse Dwellings - 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. Minimum Rear Yard Setback (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 m², 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 4.7 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, no visitor parking shall be required for a condominium block consisting entirely of rear access townhouse dwelling units, and only where each dwelling unit has frontage on a public street.

5.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.270 as follows:

Residential Medium Density 2 - Special Section 270 (RMD2*270) Zone

- i) 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 m², 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:
 - 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.
 - 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. 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 lot line.
- 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.

6.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.271 as follows:

Mixed Use - Special Section 271 (MU*271) Zone

i) Special Site Provisions:

- a. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3 m 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. Notwithstanding the Zoning Regulations of Table 6F, the maximum main wall length shall be 75 metres.
- c. Notwithstanding the Zoning Regulations of Table 6F, balconies oriented toward an arterial road are permitted above 3 metres from established grade.
- d. Notwithstanding the Zoning Regulations of Table 6F, the first storey height, measured from floor to floor, for residential buildings and residential portions of mixed-use buildings shall be a minimum of 3.5 metres.
- e. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0 metres of a private street line

7.0 THAT Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.272 as follows:

Minor Institutional - Special Section 272 (I-A*272) Zone

Notwithstanding Section 4.19.4, 4.20.4 and Section 9.2, Table 9B to the contrary, for an elementary school in the Minor Institutional (I-A*272) Zone, the following shall apply:

i) Zone Standards:

- a. Maximum Total Building Height: 16.5 metres
- b. Landscape Buffer Abutting a Street: 2.5 metres

ii) Special Site Provisions:

- a. Notwithstanding Section 5.11 to the contrary, no more than one (1) loading space shall be required.
- b. Notwithstanding Section 5.1 ii) to the contrary, parking spaces required by this by-law for the elementary school are permitted to be located on the adjacent neighbourhood park block in accordance with the terms of the agreement executed by the Town of Milton and the applicable School Board.

8.0 THAT Section 13.2 is amended by adding subsection 13.2.1.74 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H18” Holding provision are satisfied.

9.0 THAT Section 13.2 is amended by adding subsection 13.2.1.75 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H34” Holding provision are satisfied.

10.0 THAT Section 13.2 is amended by adding subsection 13.2.1.76 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H35” Holding provision are satisfied.

11.0 THAT Section 13.2 is amended by adding subsection 13.2.1.77 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H38” Holding provision are satisfied.

12.0 THAT Section 13.2 is amended by adding subsection 13.2.1.78 as follows:

For the lands zoned a site-specific Residential Medium Density 1 (RMD1*269) on the property legally described as Part of Lot 7, Concession 1, N.S. (Trafalgar), only legally established existing uses are permitted until the conditions for removal identified in the “H39” Holding provision are satisfied.

13.0 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 JULY 8, 2019.

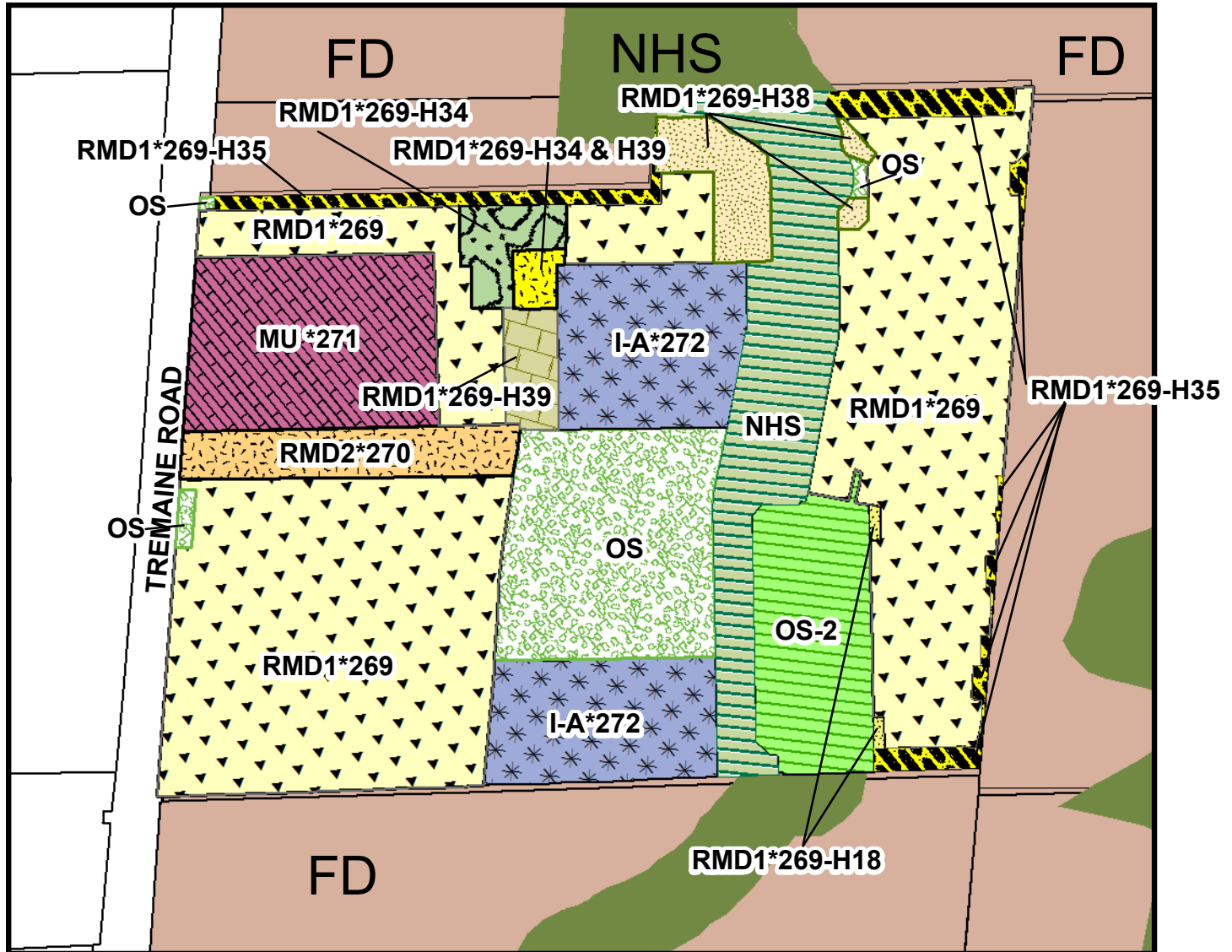
Gordon A. Krantz Mayor

Troy McHarg Town Clerk

ZONING BY-LAW
016-2014
SCHEDULE A
TO BY-LAW No. -2019
TOWN OF MILTON

PART LOT 7, CONCESSION 1 NS, PART OF PART 1 OF RP 20R12682 & PARTS 5, 7 TO 11 OF RP 20R19718

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

- | | | | |
|--|---|--|--------------------------------|
| | NHS- Natural Heritage System | | OS-2 - Open Space Zone 2 |
| | OS- Open Space Zone | | MU*271- Mixed Use Zone Special |
| | I-A*272 - Minor Institutional Zone Special | | |
| | RMD1*269 - Residential Medium Density 1 Zone Special | | |
| | RMD1*269-H18 - Residential Medium Density 1 Zone Special with H18 | | |
| | RMD1*269-H34 - Residential Medium Density 1 Zone Special with H34 | | |
| | RMD1*269-H34-H39 - Residential Medium Density 1 Zone Special with H34 & H39 | | |
| | RMD1*269-H35 - Residential Medium Density 1 Zone Special with H35 | | |
| | RMD1*269-H38 - Residential Medium Density 1 Zone Special with H38 | | |
| | RMD1*269-H39 - Residential Medium Density 1 Zone Special with H39 | | |
| | RMD2*270 - Residential Medium Density 2 Zone Special | | |