



The Corporation of the Town of Milton

Report To: Council

From: Barbara Koopmans, Commissioner, Development Services

Date: August 23, 2021

Report No: DS-063-21

Subject: Technical Report: Town initiated Zoning By-law Amendment (Z-07/21) - Mature Neighbourhood Areas.

Recommendation: THAT Report DS-063-21, outlining the Town Initiated Zoning By-law Amendment for the Mountainview, Fallingbrook, Forest Grove, Bronte Meadows, and Valley View neighbourhoods and residential sections of Old Milton outside the Downtown Character Area be APPROVED;

AND THAT Council enacts the proposed Zoning By-law Amendment, attached as Appendix 1 to Report DS-063-21;

AND THAT the By-law attached as Appendix 2 to Report DS-063-21 to amend Interim Control By-law 082-2020 be ADOPTED upon the coming into force of the Zoning By-law attached as Appendix 1; and

AND THAT WHEREAS the *Planning Act* limits the ability to apply for a minor variance for a 2-year period following approval of this By-law, BE IT RESOLVED that privately-initiated applications for a minor variance may be made.

EXECUTIVE SUMMARY

The subject report recommends approval of a proposed Zoning By-law amendment that updates zoning regulations applicable to the residential areas in the Mountainview, Fallingbrook, Forest Grove, Bronte Meadows, and Valley View neighbourhoods and sections of Old Milton outside the Downtown Character Area.

The proposed amendment to the Town's Comprehensive Zoning By-law 016-2014, as amended, introduces new standards that apply to new development in the form of new housing, replacement housing, and additions and alterations to existing houses. The

zoning standards aim to preserve the character of the mature neighbourhood areas and protect them from incompatible development while still allowing for change that is sensitive and respectful of character.

The proposed amendment to Interim Control By-law 082-2020 will remove the mature neighbourhood areas subject to the proposed Zoning By-law amendment from Schedule A to Interim Control By-law 082-2020.

Planning staff also recommends that Council authorize property owners to apply to the Committee of Adjustment for variances from the provisions of the proposed zoning By-law within the 2 year moratorium time frame established by the *Planning Act*.

REPORT

Background

Development Services staff initiated the Mature Neighbourhoods Character Study in April 2018 to review the Town's current Official Plan policies and regulatory framework relating to the construction of new dwellings and additions to existing dwellings in mature residential neighbourhoods within Milton's Established Urban Area and recommend appropriate changes to protect the character of these residential areas.

The study analyzes, with community input, the elements and qualities that contribute to residential character of these stable low-density residential neighbourhoods. The study assesses whether the policies of the Local Official Plan and the regulatory framework of the Town's Zoning By-law are effective in managing development and maintaining the character of mature neighbourhood areas, and informs potential improvements to these and other regulatory tools. The study is carried out in various phases to cover the extent of the Town's mature neighbourhoods.

Phase 1 - Downtown Character Area

Phase one completed the review of the Local Official Plan policies for Character Areas and Mature Neighbourhood Areas and the Zoning By-law standards that apply to low-density residential development in the Downtown Character Area. On October 19, 2020, Council approved LOPA 60 and Zoning By-law No. 081-2020 ([DS-043-20](#)), which implement the recommendations from Phase 1.

Phase 2 - Mountainview and Old Milton

Concurrently with Phase 1, staff continued to assess other mature neighbourhood areas. On September 2019, staff initiated Phase 2 on the Mountainview neighbourhood and the residential section of Old Milton located north of the Downtown Character Area and west

of Ontario Street North, with the review of 413 properties zoned Residential Low Density (RLD). The subject area is depicted on Figure 1.

Staff held three walking tours in September and October of 2019 to discuss the purpose of the study with residents, collect information about the characteristics of the neighbourhoods that they valued, their opinion and concerns. A total of 25 participants attended the walkabouts. In addition, local residents were invited to participate in an online survey that ran from September to November of 2019. The “Mature Neighbourhoods Character Study - Phase 2 - Mountainview Background Report”, transmitted to Council through report [DS-020-20](#) at the Virtual Council Meeting on July 20, 2020, summarizes the findings.

From April 14 to July 12, 2021, residents were invited to provide feedback on the proposed changes to the Zoning By-law affecting these areas through an online mapping tool on Let’s Talk Milton. Upon completion of this process, staff reviewed feedback from the public and finalized the recommendations for the study.

Phase 3 - Fallingbrook, Forest Grove, Bronte Meadows and Valley View

Phase 3 was incorporated to the work plan on July 2020 with the review of 1,200 residential properties zoned RLD and 280 properties zoned RMD1 in the Fallingbrook, Forest Grove, Bronte Meadows and Valley View neighbourhoods, and a small portion of Old Milton directly outside the Downtown Character Area (area is depicted on Figure 2). Due to Covid-19 restrictions, walking tours were not organized. A summary of the technical review of these neighbourhoods is presented on Appendix 1 to the subject report.

From April 14 to May 14, 2021, residents were invited to provide feedback on the proposed Zoning By-law amendments affecting these neighbourhoods using the same online mapping tool on Let’s Talk Milton, used for Mountainview and Old Milton.

Since mid-April the project page had more than 400 visitors, and 331 are considered to be ‘aware’. In addition to this participation, the following activities have occurred to keep the community informed about the project:

- Updated the project’s web page on the Town’s website;
- Sent a Mailchimp email (newsletter) and a reminder to project subscribers;
- Notice of the project and the public meeting were included the Town’s monthly newsletter;
- Social media posts;
- Placed the statutory public meeting notice ad in the Milton Canadian Champion on April 29, 2020;
- Posted the statutory public meeting notice on the Town’s website;

- Shared the statutory public meeting notice on social media;
- Mailchimp email (newsletter) to subscribers re: statutory public meeting notice; and
- A flyer notice to households/businesses in the area was distributed prior to the May 31, 2021 public meeting.

The proposed amendment to the zoning by-law is described in the discussion section of this report.

Next Steps - Dorset Park and Timberlea

Phase 3 is currently undergoing background work on the Dorset Park and Timberlea neighbourhoods. A statutory public meeting for the proposed Zoning By-law amendments that apply to these neighbourhoods will be scheduled in the near future.

Discussion

The Zoning By-law amendment (attached as Appendix 1) proposes to:

Mapping

- Change the existing Residential Low Density (RLD) zone symbol in certain areas to a Residential Low Density II (RLD2), Residential Low Density III (RLD3), Residential Low Density IV (RLD4), Residential Low Density II - Special Section RLD2*299, Residential Low Density III - Special Section RLD3*300, Residential Low Density III - Special Section RLD3*301, and Residential Low Density IV - Special Section RLD4*302 zone symbols; and
- Change the existing Residential Medium Density I (RMD1) zone symbol in certain areas to a Residential Medium Density 1 - Special Section RMD1*303 zone symbol.

Zoning Provisions

New regulations for the Residential Low-Density II (RLD2) Zone:

Setbacks

- Establish a minimum front yard setback of 4.0 metres for the lots with frontage on Ontario Street North, south of Woodward Avenue, 7.5 metres for the lots with frontage on Kingsleigh Court, Kings Court Crescent and Steeles Avenue East, and 6.5 metres for all other lots. In the case of an addition to an existing building, the minimum front yard can be equal to the yard legally existing on the effective date of the proposed By-law or the minimum front yard required for the parent zone, whichever is less restrictive.

- Establish a minimum interior side yard setback for development that incorporates an attached garage or carport, based on lot frontage and garage or carport presence, that is:
 - 1.2 metres for one-storey buildings and 1.8 metres for two-storey buildings, where the lot frontage is less than, or equal to, 15 metres;
 - 1.8 metres, where the lot frontage is equal to, or greater than, 15 metres but less than 25 metres;
 - 3.0 metres, where the lot frontage is equal to, or greater than, 25 metres but less than 30 metres; and
 - 5.0 metres where the lot frontage is equal to, or greater than, 30 metres.

Where no garage or carport is attached to a detached or duplex dwelling, the side yard on the side with a driveway shall be a minimum of 3.5 metres, where the lot frontage is less than 30 metres, and 5.0 metres where the lot frontage is equal to, or greater than, 30 metres.

Where no garage or carport is attached to a semi-detached dwelling, the interior side yard shall be a minimum of 3.5 metres, where the lot frontage is less than 30m, and 5.0m, where the lot frontage is equal to, or greater than, 30m.

- Establish a minimum exterior side yard of 3.5 metres.

Building Height

- Introduce a maximum of 2 storeys, establish a maximum building height specific to roof typology, and modify how height is measured based on roof typology, to be:
 - 7.5 metres in the case of a flat roof; measured from the established grade to the highest point of the roof surface or parapet, whichever is greater; and
 - 9.0 metres in the case of a gable, hip, gambrel or mansard roof; measured from the established grade to the highest point of the roof surface.

Lot Coverage

- Allow the covered porch area to exceed the maximum lot coverage,, provided that no gross floor area or amenity area is located above, to a maximum of:
 - 1.5% of the lot coverage for lots with area less than 660 square metres;
 - 1.25% of the lot coverage for lots with area greater than 660 square metres but less than 830 square metres; and
 - 1.0% of the lot coverage for lots greater than 830 square metres.

Street Front Treatment

- Introduce a zoning standard to clarify that the dwelling face must be a minimum of 50% of the building face.
- Establish a requirement for garages or carports, that is:
 - for an attached garage, the garage face may extend beyond the building front wall of the first storey by a maximum of 1.8 metres provided that a front porch/veranda is constructed with a minimum depth of 1.2 metres, and
 - for a detached garage or attached or detached carport, the garage face or front of the carport shall be setback a minimum of 1.5 metres from the building front wall.

New regulations for the Residential Low-Density III (RLD3) Zone:

Setbacks

- Establish a minimum front yard setback of 7.5 metres for the lots with frontage on Laurier Avenue, Farmstead Drive and Sunnyvale Crescent in the Bronte Meadows neighbourhood, 10.0 metres for the lots with frontage on Ontario Street North and South, and 7.0 metres for all other lots. In the case of an addition to an existing building, the minimum front yard can be equal to the yard legally existing on the effective date of the proposed By-law or the minimum front yard required for the parent zone, whichever is less restrictive.
- Establish a minimum interior side yard setback for development that incorporates an attached garage or carport, based on lot frontage and garage or carport presence, that is:
 - 1.2 metres on one side of the lot and 1.8 metres on the other side for one-storey dwellings and minimum 1.8 metres on both sides of the lot for two-storey dwellings, where the lot frontage is less than 20 metres.
 - 1.8m on one side of the lot and 2.4 metres on the other side, where the lot frontage is equal to, or greater than 20 metres.

Where no garage or carport is attached to a detached or duplex dwelling, the side yard on the side with a driveway shall be a minimum of 3.5 metres, where the lot frontage is less than 30 metres, and 5.0 metres where the lot frontage is equal to, or greater than, 30 metres.

Where no garage or carport is attached to a semi-detached dwelling, the interior side yard shall be a minimum of 3.5 metres, where the lot frontage is less than 30 metres, and 5.0 metres, where the lot frontage is equal to, or greater than, 30 metres.

Building Height

- Introduce a maximum of 2 storeys, establish a maximum building height specific to roof typology, and modify how height is measured based on roof typology for the new RLD3 zone, to be:
 - 7.5 metres in the case of a flat roof; measured from the established grade to the highest point of the roof surface or parapet, whichever is greater; and
 - 9.0 metres in the case of a gable, hip, gambrel or mansard roof; measured from the established grade to the highest point of the roof surface.

Lot Coverage

- Allow the covered porch area to exceed the maximum lot coverage, provided that no gross floor area or amenity area is located above, to a maximum of:
 - 1.5% of the lot coverage for lots with area less than 660 square metres;
 - 1.25% of the lot coverage for lots with area greater than 660 square metres but less than 830 square metres; and
 - 1.0% of the lot coverage for lots greater than 830 square metres.

Street Front Treatment (areas zoned RLD3*300 and RLD3*301)

- Introduce a zoning standard to clarify that the dwelling face must be a minimum of 50% of the building face.
- Establish a requirement for garages or carports, that is:
 - for an attached garage, the garage face may extend beyond the building front wall of the first storey by a maximum of 1.8 metres provided that a front porch/veranda is constructed with a minimum depth of 1.2 metres; and
 - for a detached garage or attached or detached carport, the garage face or front of the carport shall be setback a minimum of 1.5 metres from the building front wall.

New regulations for the Residential Low-Density IV (RLD4) Zone:

Setbacks

- Establish a minimum front yard setback of 7.5 metres for the lots with frontage on Laurier Avenue, Farmstead Drive and Sunnyvale Crescent in the Bronte Meadows neighbourhood, and 7.0 metres for all other lots. In the case of an addition to an existing building, the minimum front yard can be equal to the yard legally existing on the effective date of the proposed By-law or the minimum front yard required for the parent zone, whichever is less restrictive.
- Establish a minimum interior side yard setback of 1.2 metres on one side of the lot and 1.8 metres on the other side. Where no garage or carport is attached to a detached or duplex dwelling, the side yard on the side with a driveway shall be a minimum of 3.5

metres, where the lot frontage is less than 30 metres, and 5.0 metres where the lot frontage is equal to, or greater than, 30 metres.

Where no garage or carport is attached to a semi-detached dwelling, the interior side yard shall be a minimum of 3.5 metres, where the lot frontage is less than 30 metres, and 5.0 metres, where the lot frontage is equal to, or greater than, 30 metres.

Building Height

- Introduce a maximum of 2 storeys, establish a new maximum building height specific to roof typology, and modify how height is measured based on roof typology for the new RLD4 zone, to be:
 - 8.0 metres in the case of a flat roof; measured from the established grade to the highest point of the roof surface or parapet, whichever is greater; and
 - 9.5 metres in the case of a gable, hip, gambrel or mansard roof; measured from the established grade to the highest point of the roof surface.

Lot Coverage

- Allow the covered porch area to exceed the maximum lot coverage, provided that no gross floor area or amenity area is located above, to a maximum of:
 - 1.5% of the lot coverage for lots with area less than 660 square metres;
 - 1.25% of the lot coverage for lots with area greater than 660 square metres but less than 830 square metres; and
 - 1.0% of the lot coverage for lots greater than 830 square metres.

New regulations for the Residential Medium-Density I Special (RMD1*303) Zone:

Setbacks

- Establish a minimum front yard setback of 7.5 metres for the lots with frontage on Laurier Avenue, 7.0 metres for all other lots. In the case of an addition to an existing building, the minimum front yard can be equal to the yard legally existing on the effective date of the proposed By-law or the minimum front yard required for the parent zone, whichever is less restrictive.

Building Height

- Introduce a maximum of 2 storeys, establish a new maximum building height specific to roof typology, and modify how height is measured based on roof typology, to be:
 - 8.0 metres in the case of a flat roof; measured from the established grade to the highest point of the roof surface or parapet, whichever is greater; and

- 9.5 metres in the case of a gable, hip, gambrel or mansard roof; measured from the established grade to the highest point of the roof surface.

Amendment to Interim Control By-law 082-2020

Interim Control By-law (ICBL) 082-2020 is currently in effect to control replacement dwellings and building additions within the Town's mature neighbourhood areas (until Oct. 19 2021), while the Town completes Phases 2 and 3 of the Mature Neighbourhoods Character Study.

Subject to the approval of the proposed zoning by-law amendment, the ICBL would no longer be required in the residential areas subject to the by-law. As such, staff recommends that By-law 082-2020 be amended to remove the neighbourhood areas depicted on Location Maps 1 and 2 from Schedule A to the by-law.

The amendment to Interim Control By-law 082-2020, attached as Appendix 2, would be adopted upon the coming into force of the Zoning By-law attached as Appendix 1.

Ability to apply for a Minor Variance

On December 3, 2015, the Province of Ontario enacted Bill 73 "Smart Growth for Our Communities Act, 2015" which amended the *Planning Act* and *Development Charges Act*, 1997. Several changes to the *Planning Act* came into force on July 1, 2016. One of the changes to the *Planning Act* is the introduction of a two-year moratorium (or "freeze") on three types of amendments, subject to Council's discretion to provide relief from the prohibition:

1. Amendments of a new Official Plan;
2. Amendments of a new comprehensive Zoning By-law; and
3. Minor variance of a by-law that has already been amended for the land, building or structure.

Since the enactment of Bill 73, the Development Services Department has implemented an approach that assumes no Minor Variance Applications are permitted before the second anniversary of the day on which the by-law was amended, unless Council has declared by resolution that such applications are permitted. Staff can, through a Council Report, include a resolution for Council's consideration to permit a Minor Variance application within the 2 year moratorium time frame.

In this instance, due to the large number of residential properties within the new low density residential zones, staff recommends that Council authorize property owners to apply to the Committee of Adjustment for variances from the provisions of the proposed Zoning By-law.

Any Minor Variance application would be subject to the standard review process, which involves public notice and an evaluation by staff of the appropriateness of the Minor Variance Application, through the lens of the four tests set out by Section 45(1) of the *Planning Act*, and a decision of the Committee of Adjustment.

Public Comments

Notice for the public meeting was provided pursuant to the requirements of the *Planning Act* on April 29, 2021 and an email notification was sent to individuals on the study's mailing list.

A Public Meeting was held at the Council meeting on May 31, 2021. Members of the public were provided with an opportunity to express their views regarding the proposed Zoning By-law Amendment. At the meeting, a resident of the Mountainview neighbourhood expressed concerns with the replacement of one-storey dwellings by larger and taller structures and the impact created by new development on climate change and neighborhood character.

Staff clarified that the new absolute heights will be restrictive, which are lower than the current regulation for the RLD zone, and that the new setback provisions will be consistent with the neighbourhoods.

A member of Council suggested Town staff to look at the drainage patterns in these neighbourhoods as many of these areas are within the flood plain or do not have good drainage, and pointed out that, in some cases, new development increases the runoff and changes the elevation, impacting surrounding properties.

No written comments were received.

Agency Consultation

Through the formal circulation, most respondents had no concerns. Minor revisions to the amendment were made based on staff's feedback. These revisions included:

- Text changes to provide clear direction on how lot coverage is calculated, and how the interior setbacks are measured;
- Update to Table 2A to Zoning By-law 016-2014 to add or remove properties from the table as a result of the review of updated flood plain mapping;
- A new clause to provide property owners relief from the two-year moratorium (or "freeze") on minor variance applications.

Conclusion



It is the opinion of Planning staff that the proposed amendment to Zoning By-law 016-2014, as amended, conforms to the Town's Official Plan and introduces zoning regulations intended to inform the development of new dwellings and additions to existing dwellings that are respectful of the existing neighbourhood character.

Planning staff recommends that the Zoning By-law amendment, attached as Appendix 1, be enacted, that the amendment to Interim Control By-law 082-2020 to remove the subject lands from the provisions of the by-law, attached as Appendix 2, be approved, and that Council authorize property owners to apply to the Committee of Adjustment for variances from the provisions of the proposed zoning By-law within the 2 year moratorium time frame established by the *Planning Act*.

Financial Impact

There is no financial impact associated with this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO
Commissioner, Development Services

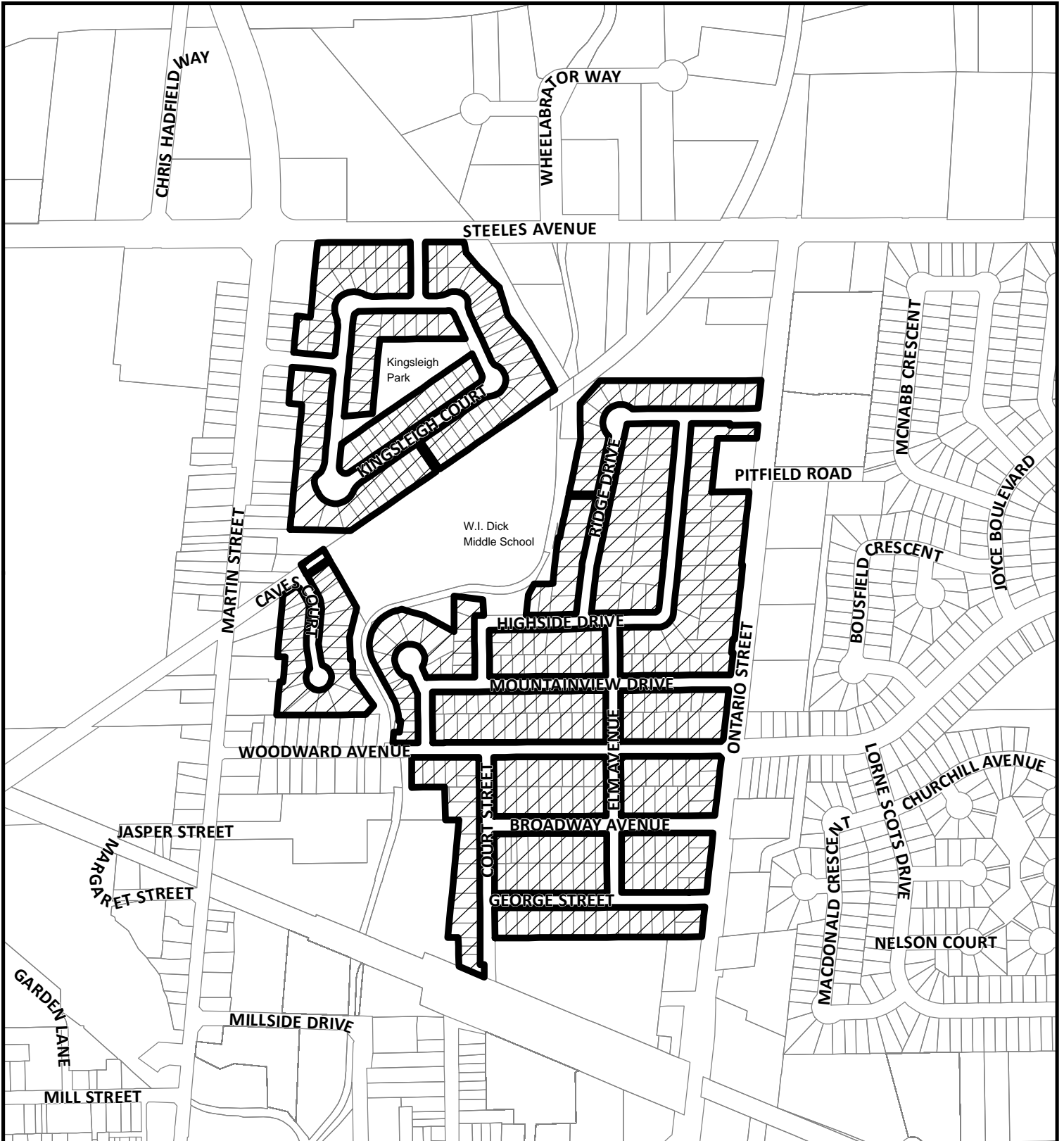
For questions, please contact: Hugo Rincon, Senior Policy Planner
Phone: Ext. 2307

Attachments

Figure 1. Location Map 1
Figure 2. Location Map 2
Appendix 1: Zoning By-law Amendment
Appendix 2: Amendment to Interim Control By-law 082-2020

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



Council Meeting Date:
August 23, 2021

Scale: 1: 7,000

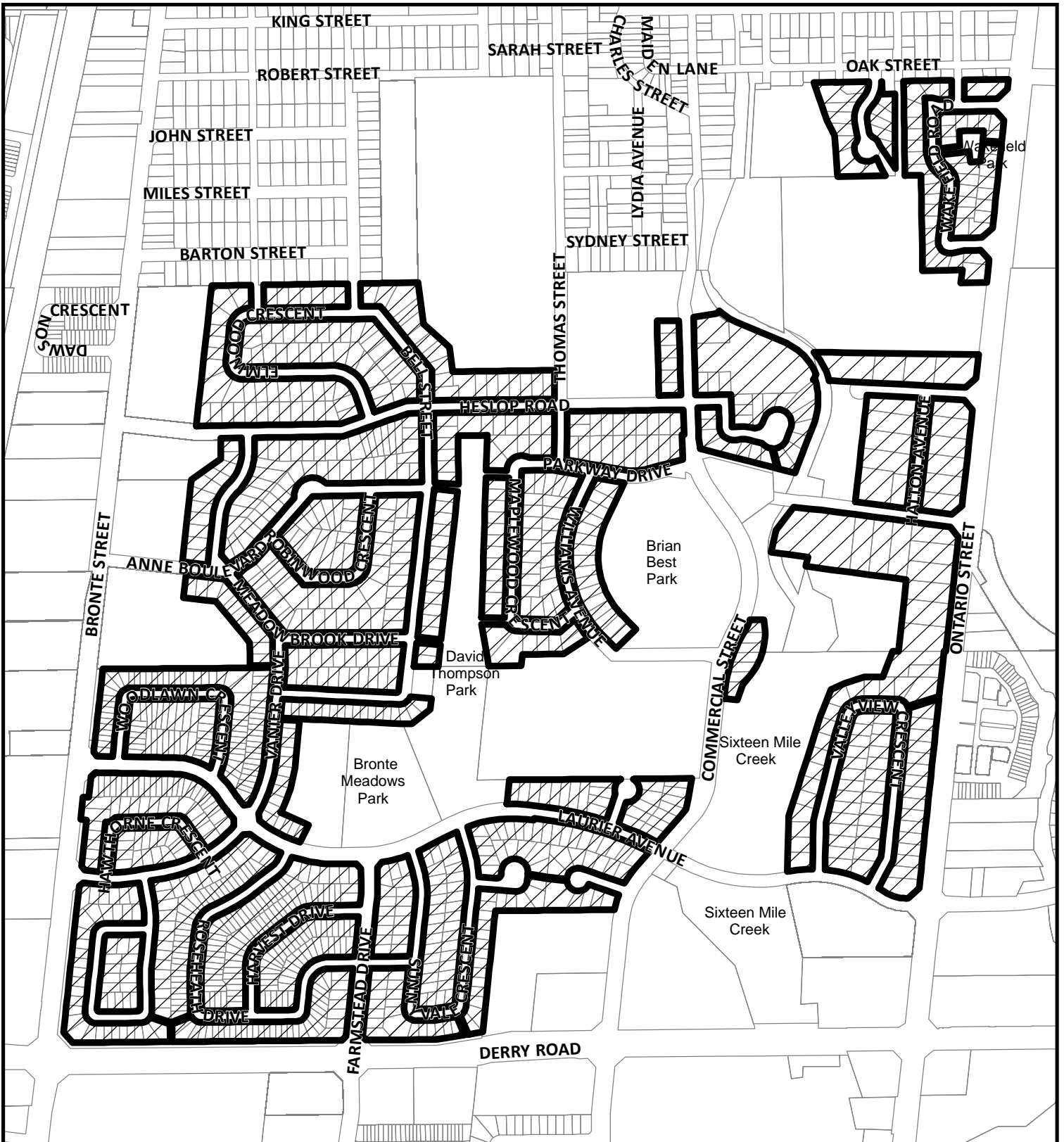
File Number:
Z-07/21

Development Services Department



Subject Property

FIGURE 2 LOCATION MAP



Council Meeting Date: August 23, 2021	Scale: 1: 9,000	File Number: Z-07/21	Development Services Department
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THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2021

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 ALL LANDS WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-07/21).

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 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, as amended, is hereby further amended by changing the existing Residential Low Density (RLD) zone symbol in certain areas with a Residential Low Density II (RLD2), Residential Low Density III (RLD3), Residential Low Density IV (RLD4), Residential Low Density II - Special Section RLD2*299, Residential Low Density III - Special Section RLD3*300, Residential Low Density III - Special Section RLD3*301, and Residential Low Density IV - Special Section RLD4*302 zone symbols, and changing the existing Residential Medium Density I (RMD1) zone symbol in certain areas with a Residential Medium Density 1 - Special Section RMD1*303 zone symbol, as per Schedules A and B attached hereto.
- 2.0 **THAT** the heading of Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing it with the heading 'Transition: Interim Control By-law NO. 082-2020 Exemption Approval, Site Plan Approval and Building Permit Applications'.
- 3.0 **THAT** Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection ii) as follows:
 - ii) Nothing in this By-law shall prevent the erection or *use* of a *building* or *structure* for a development for which a complete application for building permit was filed on or prior to the date of passage of By-law NO. XXX-2021, if the development in question complies or the *building* permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. XXX-2021.

4.0 THAT Section 1.11.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding new Subsections iii) and iv) as follows:

iii) Nothing in this By-law shall prevent the issuance of a building permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. XXX-2021 and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. XXX-2021, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.

iv) Notwithstanding the provisions of Section 1.11.2 iii), an application for minor variance associated with a complete application for exemption to Interim Control By-law NO. 082-2020 or building permit that was filed prior to the date of the passage of By-law NO. XXX-2021, can still be made under the provisions of Comprehensive Zoning By-law 16-2014, as amended, as it read on the date of passage of By-law NO. XXX-2021.

5.0 THAT Section 1.11.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting Subsection i) and replacing it with the following:

i) Sections 1.11.2 i), 1.11.3 i) and ii) and 1.11.5 i) are repealed two years from the date of enactment of By-law NO. 081-2020.

ii) Sections 1.11.1, 1.11.2 ii), 1.11.3 iii) and iv), 1.11.4 and 1.11.5 ii) are repealed two years from the date of enactment of By-law NO. XXX-2021.

6.0 THAT the Table of Contents of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following table to the List of Tables:

- TABLE 6B-1 Residential Low Density II (RLD2) Standards
Residential Low Density III (RLD3) Standards
Residential Low Density IV (RLD4) Standards

7.0 THAT Section 2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following zone and associated zone symbol to the Residential Zones column:

- Low Density Residential II Zone (RLD2).
- Low Density Residential III Zone (RLD3).
- Low Density Residential IV Zone (RLD4)

8.0 THAT Section 2.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting Table 2A, and replacing it with the following:

TABLE 2A

STREET NUMBER	STREET NAME	ZONE	STREET NUMBER	STREET NAME	ZONE
C			417	KINGSLEIGH CRT	RLD2*299
95	COMMERCIAL ST	RLD1*279	359	KINGSLEIGH CRT	RLD2*299
96	COMMERCIAL ST	RLD1*279	342	KINGSWAY PLACE	RLD3
98	COMMERCIAL ST	RLD1*279	345	KINGSWAY PLACE	RLD3
99	COMMERCIAL ST	RLD1*279	346	KINGSWAY PLACE	RLD3
104	COMMERCIAL ST	RLD1*279	350	KINGSWAY PLACE	RLD3
106	COMMERCIAL ST	RLD1*279	351	KINGSWAY PLACE	RLD3
107	COMMERCIAL ST	RLD1*279	354	KINGSWAY PLACE	RLD3
111	COMMERCIAL ST	RLD1*279	358	KINGSWAY PLACE	RLD3
123	COMMERCIAL ST	RLD1*279	M		
127	COMMERCIAL ST	RLD1*279	94	MAIDEN LANE	RLD1
H			96	MAIDEN LANE	RLD1
323	HIGHSIDE DR	RLD2	98	MAIDEN LANE	RLD1
329	HIGHSIDE DR	RLD2	640	MARTIN STREET	C5
K			315	MOUNTAINVIEW DR	RLD2
316	KINGSLEIGH CRT	RLD2*299	321	MOUNTAINVIEW DR	RLD2
320	KINGSLEIGH CRT	RLD2*299	322	MOUNTAINVIEW DR	RLD2
324	KINGSLEIGH CRT	RLD2*299	328	MOUNTAINVIEW DR	RLD2
328	KINGSLEIGH CRT	RLD2*299	329	MOUNTAINVIEW DR	RLD2
329	KINGSLEIGH CRT	RLD2*299	332	MOUNTAINVIEW DR	RLD2
332	KINGSLEIGH CRT	RLD2*299	O		
333	KINGSLEIGH CRT	RLD2*299	296	OAK ST	RLD1
336	KINGSLEIGH CRT	RLD2*299	297	OAK ST	RLD1
337	KINGSLEIGH CRT	RLD2*299	R		
340	KINGSLEIGH CRT	RLD2*299	187	RIVERPLACE CRES	RLD2
341	KINGSLEIGH CRT	RLD2*299	194	RIVERPLACE CRES	RLD2
344	KINGSLEIGH CRT	RLD2*299	198	RIVERPLACE CRES	RLD2
345	KINGSLEIGH CRT	RLD2*299	202	RIVERPLACE CRES	RLD2
348	KINGSLEIGH CRT	RLD2*299	203	RIVERPLACE CRES	RLD2
349	KINGSLEIGH CRT	RLD2*299	208	RIVERPLACE CRES	RLD2
352	KINGSLEIGH CRT	RLD2*299	214	RIVERPLACE CRES	RLD2
353	KINGSLEIGH CRT	RLD2*299	219	RIVERPLACE CRES	RLD2
356	KINGSLEIGH CRT	RLD2*299	220	RIVERPLACE CRES	RLD2
357	KINGSLEIGH CRT	RLD2*299	223	RIVERPLACE CRES	RLD2
359	KINGSLEIGH CRT	RLD2*299	224	RIVERPLACE CRES	RLD2
360	KINGSLEIGH CRT	RLD2*299	228	RIVERPLACE CRES	RLD2
364	KINGSLEIGH CRT	RLD2*299	232	RIVERPLACE CRES	RLD2
368	KINGSLEIGH CRT	RLD2*299	233	RIVERPLACE CRES	RLD2
376	KINGSLEIGH CRT	RLD2*299	S		
380	KINGSLEIGH CRT	RLD2*299	294	STEELES AVE.	RLD2*299
381	KINGSLEIGH CRT	RLD2*299	300	STEELES AVE.	RLD2*299
384	KINGSLEIGH CRT	RLD2*299	304	STEELES AVE.	RLD2*299
388	KINGSLEIGH CRT	RLD2*299	W		
392	KINGSLEIGH CRT	RLD2*299	291	WOODWARD AVE	RLD1*280
396	KINGSLEIGH CRT	RLD2*299	292	WOODWARD AVE	RLD1*280
400	KINGSLEIGH CRT	RLD2*299	315	WOODWARD AVE	RLD2
404	KINGSLEIGH CRT	RLD2*299	316	WOODWARD AVE	RLD2
413	KINGSLEIGH CRT	RLD2*299			

- 9.0** THAT Section 4.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 4A as follows:
- The heading 'RLD, RLD1' is replaced by the heading 'RLD, RLD1, RLD2, RLD3, RLD4'.
- 10.0** THAT Section 4.2.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection as follows:
- vi) *Attached and detached garages and carports* in the RLD1, RLD2, RLD3 and RLD4 zones are also subject to the provisions of Section 6.3.
- 11.0** THAT Section 4.3.1 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 4D as follows:
- 'RLD2, RLD3 and RLD4' are added to the list of zones in the table.
- 12.0** THAT Sections 5.6.2 ii), iv) a), and iv) b) of Comprehensive Zoning By-law 016-2014, as amended is hereby further amended as follows:
- 'RLD2, RLD3 and RLD4' are added between 'RLD1 and 'RMD1'.
- 13.0** THAT Section 6.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 6A as follows:
- The existing RLD and RLD1 zones and the new 'RLD2, RLD3 and RLD4' zones are grouped into a single column; and
 - A bullet point (•) is added to the table under the column 'RLD, RLD1, RLD2, RLD3, RLD4' in the rows containing 'Dwelling, Detached', 'Dwelling, Duplex', 'Dwelling, Semi-detached', 'Shared Housing', 'Home Day Care' and 'Home Occupation'.
- 14.0** THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Table 6B-1, as follows:

TABLE 6B-1

Regulations	ZONES								
	RLD2			RLD3			RLD4		
	Residential Low Density II			Residential Low Density III			Residential Low Density IV		
	Dwelling Type			Dwelling Type			Dwelling Type		
	<i>Detached Dwelling / Duplex Dwelling (*1)</i>	<i>Semi-detached Dwelling (*1)</i>		<i>Detached Dwelling / Duplex Dwelling</i>	<i>Semi-detached Dwelling</i>		<i>Detached Dwelling / Duplex Dwelling</i>	<i>Semi-detached Dwelling</i>	
<i>Corner Lot</i>		<i>Interior Lot</i>	<i>Corner Lot</i>		<i>Interior Lot</i>	<i>Corner Lot</i>		<i>Interior Lot</i>	
Lot Frontage (Minimum)	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
Lot Depth (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
Lot Area (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lot Coverage (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
Front Yard Setback (Minimum)	6.5m (*3)	6.5m (*3)	6.5m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)
Interior Side Yard Setback (Minimum)	(*4) (*7)	0.0m	0.0m on one side, other side subject to (*4) (*8)	(*5) (*7)	0.0m	0.0m on one side, 1.8m on the other side (*8)	(*6) (*7)	0.0m	0.0m on one side, 1.8m on the other side (*8)
Exterior Side Yard Setback (Minimum)	3.5m	3.5m	N/A	4.0m	4.0m	N/A	4.0m	4.0m	N/A
Rear Yard Setback (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Building Height (Maximum)	(*9)	(*9)	(*9)	(*9)	(*9)	(*9)	(*10)	(*10)	(*10)
Number of Storeys (Maximum)	2	2	2	2	2	2	2	2	2
Landscaped Open Space (Minimum)	30%	30%	30%	30%	30%	30%	30%	30%	30%

Footnotes for Table 6B-1:

(*1) Shall be subject to the provisions of Section 6.3.3 of this By-law.

(*2) See Table 6B-1 (I) below for maximum permitted *lot coverage*.

Table 6B-1 (I)

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m ²	30% *
660 - 830 m ²	25% **
Greater than 830 m ²	20% ***

* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.5% provided there is no *gross floor area* or *amenity area* located above.

** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.25% provided there is no *gross floor area* or *amenity area* located above.

*** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.0% provided there is no *gross floor area* or *amenity area* located above.

(*3) In the case of an addition to an existing building, the minimum required *front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law XXX-2021 or the minimum *front yard setback* required for the parent *zone*, whichever is less restrictive.

(*4) Minimum *interior side yard*:

With attached *garage* or *carport*.

- i) 1.2m for one-storey *dwellings* and 1.8m for two-storey *dwellings*, where the *lot frontage* is less than 15m.
- ii) 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
- iii) 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.
- iv) 5.0m, where the *lot frontage* is equal to, or greater than, 30m.

(*5) Minimum *interior side yard*:

With attached *garage* or *carport*.

- i) 1.2m on one side of the lot and 1.8m on the other side for one-storey *dwellings* and 1.8m on both sides of the lot for two-storey *dwellings*, where the *lot frontage* is less than 20m.
- ii) 1.8m on one side of the lot and 2.4m on the other side, where the *lot frontage* is equal to, or greater than 20m.

(*6) Minimum *interior side yard*:

With attached *garage* or *carport*.

- i) 1.2m on one side of the lot and 1.8m on the other side.

(*7) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of:

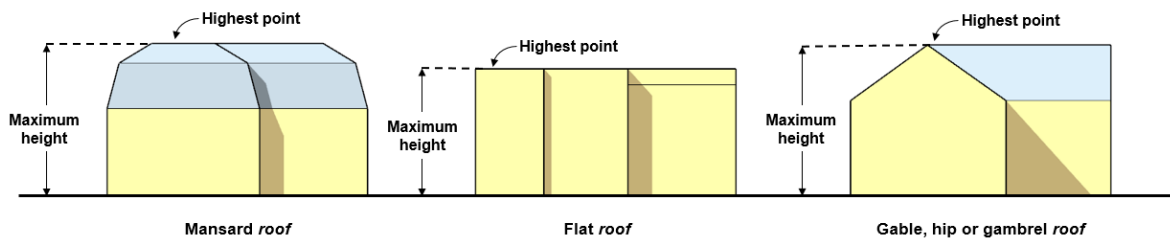
- i) 3.5m, where the *lot frontage* is less than 30m.
- ii) 5.0m, where the *lot frontage* is equal to, or greater than, 30m.

(*8) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* shall be 0.0m on one side and a minimum of:

- i) 3.5m on the other side, where the *lot frontage* is less than 30m.
- ii) 5.0m on the other side, where the *lot frontage* is equal to, or greater than, 30m.

- (*9) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 7.5m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
 - ii) 9.0m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface.
- (*10) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 8.0m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
 - ii) 9.5m in the case of a gable, hip, gambrel or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface.

ILLUSTRATION OF BUILDING HEIGHT IN THE RLD2, RLD3, and RLD4 ZONES



NOTE:

The above illustration is for clarification and convenience only and does not form part of this By-law.

- 15.0** THAT Section 6.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection 6.3.3 as follows, and renumbering the subsequent sections accordingly:

6.3.3 *Street Front Treatment of Residential Buildings in the RLD2 zone*

All residential *buildings* in the RLD2 *zone* must comply with the following *street front* treatment provisions:

- i) The *dwelling face* must be a minimum of 50% of the *building face*.
- ii) In addition to the requirements of Section 4.2.2, the following additional regulations shall apply to *attached* and *detached garages* and *carports*:
 - a. For *attached garages*, the *garage face* may extend beyond the *building front wall* of the first storey by a maximum of 1.8 metres provided that a front *porch/veranda* is constructed with a minimum depth of 1.2 metres.
 - b. For *detached garages* and *attached* or *detached carports*, the *garage face* or front of the *carport* shall be setback a minimum of 1.5 metres from the *building front wall*.

16.0 THAT Subsection 13.1.1.134 of Comprehensive Zoning By-law 016-2014, as amended, are hereby further amended as follows:

- The zone ‘RLD’ is replaced by the zone ‘RLD3*XX’.

17.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

13.1.1.299		RLD2	*299
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
i) Zone Standards			
a) <i>Minimum Front Yard Setback:</i>			
i) For lots with frontage on Ontario Street North: 4.0m			
ii) All other lots: 7.5m			
iii) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law XXX-2021 or the minimum required <i>front yard setback</i> , whichever is less restrictive.			

18.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.XXX, as follows:

13.1.1.300		RLD3	*300
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
i) Zone Standards			
a) <i>Minimum Front Yard Setback:</i> 7.5m			
b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law XXX-2021 or the minimum required <i>front yard setback</i> , whichever is less restrictive.			
ii) Special Regulations for <i>garages</i> and <i>carports</i>:			
a) Provisions of Section 6.3.3 shall apply.			

19.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.XXX, as follows:

13.1.1.301		RLD3	*301
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
iii) Zone Standards <ul style="list-style-type: none"> a) Minimum <i>Front Yard Setback</i>: 10.0m b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law XXX-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive. 			
iv) Special Regulations for <i>garages</i> and <i>carports</i>: <ul style="list-style-type: none"> a) Provisions of Section 6.3.3 shall apply. 			

20.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

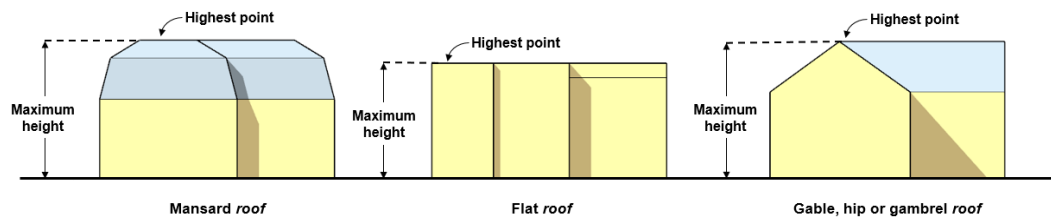
13.1.1.302		RLD4	*302
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
ii) Zone Standards <ul style="list-style-type: none"> a) Minimum <i>Front Yard Setback</i>: 7.5m b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law XXX-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive. 			

21.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

13.1.1.303		RMD1	*303
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.1 Table 6A to the contrary, the following provisions shall apply:			
i) Excluded Uses: Triplex dwellings and Quattroplex Dwellings.			
ii) Zone Standards <ul style="list-style-type: none"> a) Minimum <i>Front Yard Setback</i>: <ul style="list-style-type: none"> i) For lots with frontage on Laurier Avenue: 7.5m 			

- ii) All other lots: 7.0m
 - iii) In the case of an addition to an existing building, the *minimum front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law XXX-2021 or the minimum required *front yard setback*, whichever is less restrictive.
- b) Maximum *Height*. 2 storeys to a maximum of:
- i) 8.0m in the case of a flat *roof*, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater; and
 - ii) 9.5m in the case of a gable, hip, gambrel or mansard *roof*, measured from the established *grade* to the uppermost point of the *roof* surface.

ILLUSTRATION OF BUILDING HEIGHT IN THE RMD1*X ZONE



NOTE:

The above illustration is for clarification and convenience only and does not form part of this By-law.

22.0 THAT property Owners be permitted to apply for a Minor Variance Application(s) to the Town and/or the Town of Milton Committee of Adjustment, if required, before the second anniversary of the day on which By-law NO. XXX-2021 comes into effect, to permit minor adjustments to the implementing Zoning By-law.

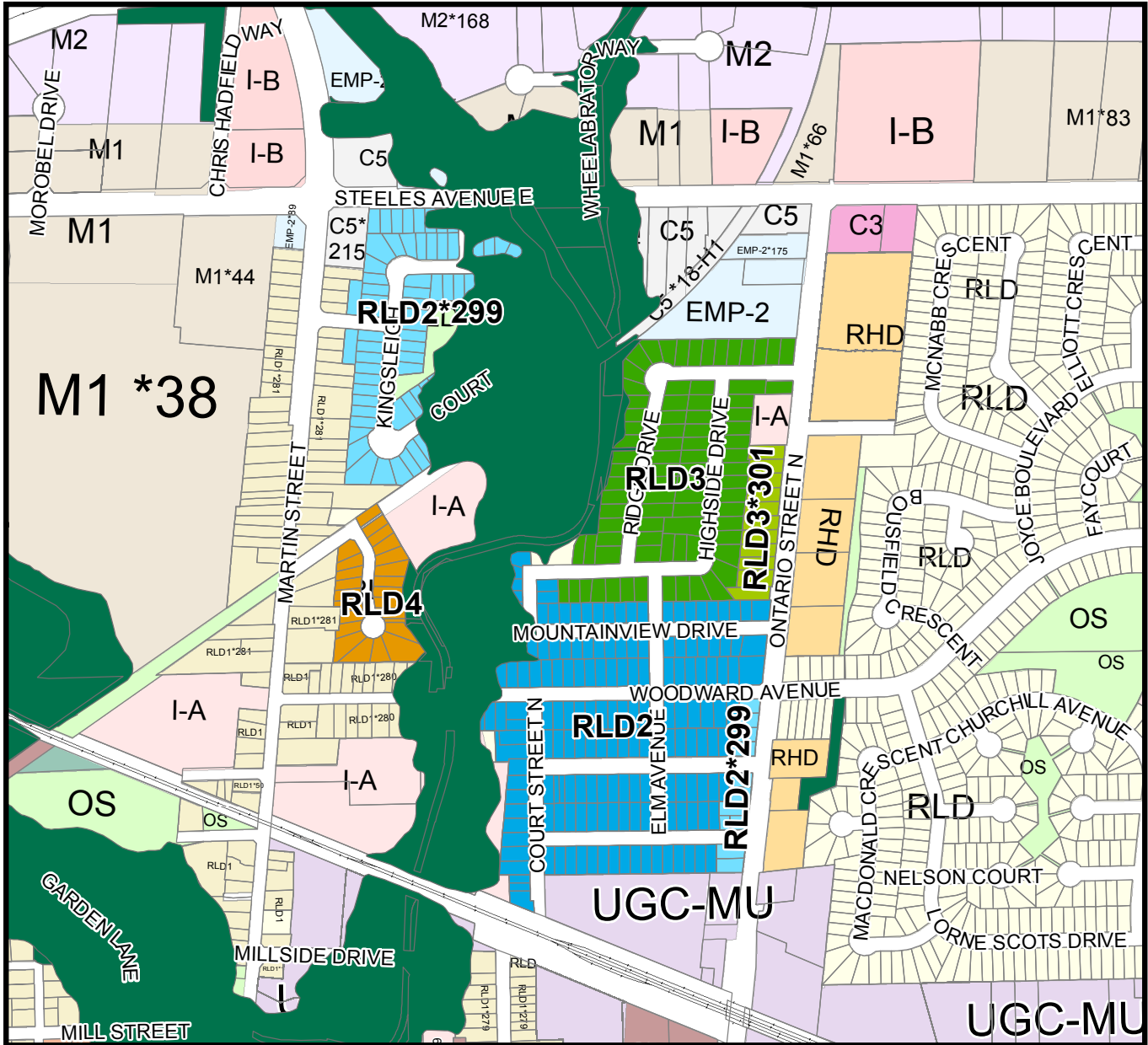
23.0 THAT if no appeal is filed pursuant to Section 34 (19) of the Planning act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which the Ontario Land Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of of the Tribunal’s Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON....., 2021.

Mayor
Gordon A. Krantz

Town Clerk
Meaghen Reid

SCHEDULE A
TO BY-LAW No. -2021
TOWN OF MILTON



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS __ DAY OF _____, 2021.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

- NHS - Natural Heritage System
- RLD2 - Residential Low Density II Zone
- RLD2*299 - Residential Low Density II Zone Special
- RLD3 - Low Density III Zone
- RLD3*301 - Low Density III Zone Special
- RLD4 - Low Density IV Zone



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2021

BEING A BY-LAW TO AMEND THE TOWN OF MILTON INTERIM CONTROL BY-LAW NO. 082-2020, AS AMENDED, PURSUANT TO SECTIONS 34 AND 38 OF THE *PLANNING ACT* IN RESPECT TO LANDS WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON

WHEREAS on October 19, 2020, the Council of the Corporation of the Town of Milton enacted Interim Control By-law No. 082-2020 to to control the development of single detached, semi-detached, duplex, triplex, quadraplex and townhouse dwellings within defined areas of the Town of Milton for a period of one year.

AND WHEREAS on October 19, 2020, the Council of the Corporation of the Town of Milton approved Report No. DS-044-20, in which recommendations were made relating to the Exemption Process for Interim Control By-law No. 082-2020.

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Interim Control By-law 082-2020;

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

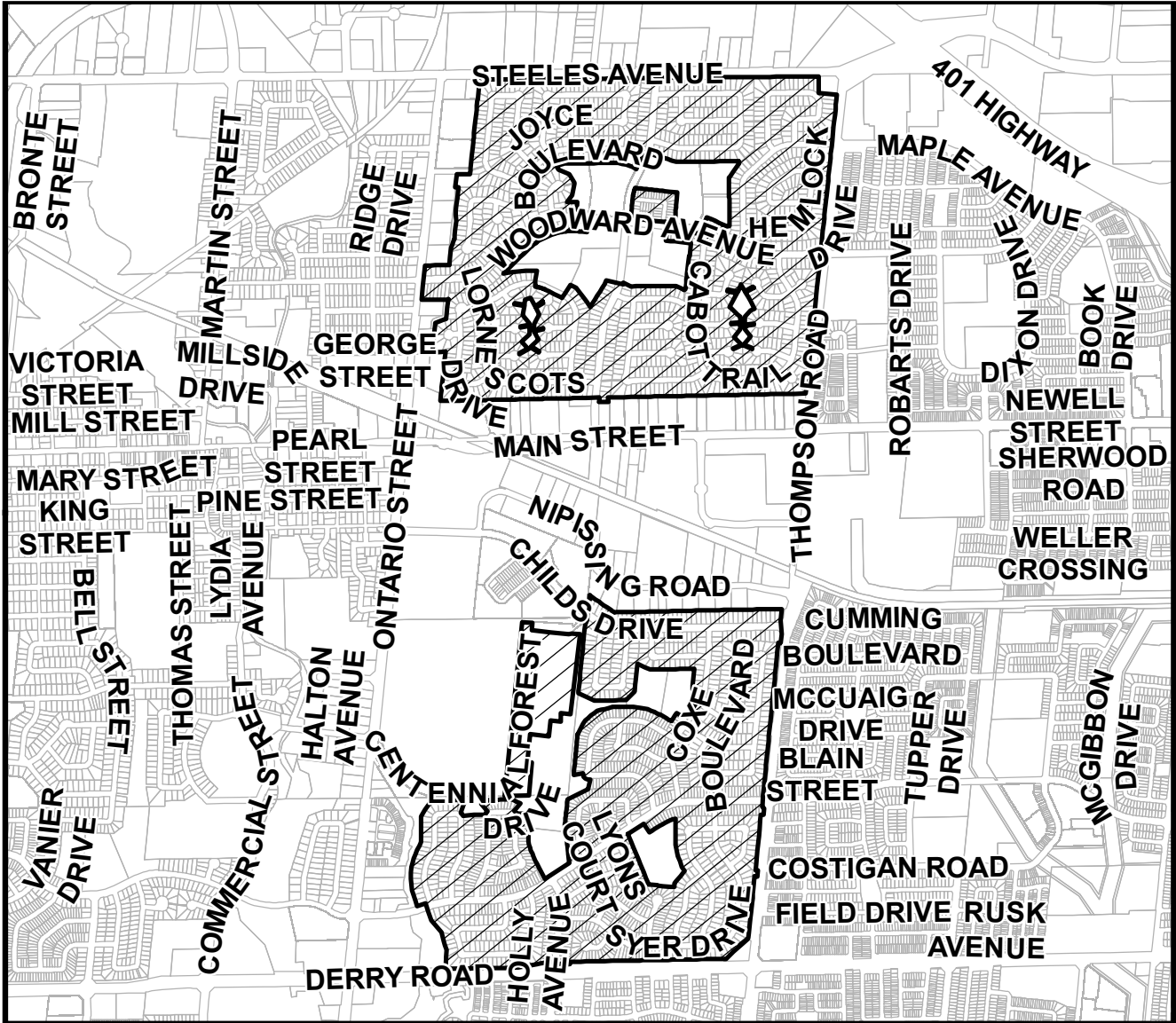
- 1.0 That Schedule 'A' to Interim Control By-law 082-2020 is hereby replaced in its entirety, as per Schedule A attached hereto.

PASSED IN OPEN COUNCIL ON AUGUST 23, 2021.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid

SCHEDULE A
 TO BY-LAW No. -2021
 TOWN OF MILTON



THIS IS SCHEDULE A
 TO BY-LAW NO. -2021 PASSED
 THIS ___ DAY OF _____, 2021.

 INTERIM CONTROL BY-LAW AREA

 MAYOR - Gordon A. Krantz

 CLERK - Meaghen Reid

