



# The Corporation of the Town of Milton

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Report To: Council

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From: Jill Hogan, Commissioner, Development Services

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Date: July 18, 2022

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Report No: DS-084-22

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Subject: Public Meeting and Initial Report: Proposed Plan of Subdivision and Zoning By-law Amendment Applications by Mattamy (Brownridge) Limited (Garito Barbuto Tor) applicable to lands legally described as Part of Lot 7 and 8, Concession 4 (Trafalgar) (Town Files: 24T-22001/M and Z-09/22)

**Recommendation: THAT Development Services Report DS-084-22 BE RECEIVED FOR INFORMATION.**

## EXECUTIVE SUMMARY

The applicant is seeking 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, site-specific Residential Medium Density 2 (RMD2\*BBB) Zone, site-specific Mixed Use (MU\*CCC), Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone. This change in zoning is being requested to permit the development of a residential plan of subdivision.

The applicant proposes a plan of subdivision that consists of 696 residential dwelling lots (i.e. 563 detached dwelling units, and 133 townhouse dwelling units), a minor sub-node block (to include a mix of medium and high density residential units), three future medium density residential condominium blocks, watercourse channel blocks, environmental buffer blocks, trail blocks, woodlot blocks, woodlot buffer blocks, two stormwater management pond blocks, open space blocks, servicing, walkway and grading blocks, and an internal road system.

The application is complete pursuant to the requirements of the Planning Act and is being processed accordingly. Upon completion of the consultation and review process, a technical report, including recommendations, will be brought forward for consideration by Council. The technical report will address issues raised through the consultation and review process.

## REPORT



## Background

**Owner:** Mattamy (Brownridge) Limited, 433 Steeles Avenue East, Milton, ON

**Applicant:** Korsiak Urban Planning, 206-277 Lakeshore Road East, Oakville, ON

### Location/Description

The subject lands are primarily located on the west side of Fourth Line, south of Louis St. Laurent Avenue, north of Britannia Road and east of Thompson Road South. The subject lands are legally described as Part of Lot 7 and 8, Concession 4, New Survey (Trafalgar), in the Town of Milton, in the Regional Municipality of Halton. See Figure 1- Location Map.

The subject lands are approximately 51.93 hectares in size with frontages along Louis St. Laurent Avenue and Fourth Line. The majority of the lands are vacant with the exception of an established woodlot located at the northwest corner of the property. A watercourse also traverses the property from the north to the southeast with branches of the watercourse also travelling to the west and south.

Surrounding lands uses include:

**North:** medium density residential uses

**East:** an existing elementary school and secondary school, two existing residential lots on the west side of Fourth Line directly adjacent to the subject lands, as well as a medium density residential subdivision currently under construction on the east side of Fourth Line (Mattamy Bayview Lexis).

**South:** agricultural uses

**West:** currently vacant, however, future development consisting of residential, parks, elementary and secondary schools and commercial uses are under review.

The subject lands are located within the Boyne Survey Secondary Plan Area.

### Proposal

The 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, site-specific Residential Medium Density 2 (RMD2\*BBB) Zone, site-specific Mixed Use (MU\*CCC) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone to permit the development of a residential plan of subdivision.

Figure 2 illustrates the proposed Plan of Subdivision. The applicant has submitted a draft plan of subdivision to create 696 residential dwelling lots (563 detached dwelling units, and 133 townhouse dwelling units). In addition, a minor sub-node block (to include a mix of medium and high density residential units - total units to be determined and underground parking), three future medium density residential condominium blocks (units to be determined), and blocks for a watercourse channel with a trail system, the existing woodlot, woodlot and environmental buffers, stormwater management ponds, open spaces, and servicing, walkway and grading, are proposed to be created, along with an

## Background

internal road system. Proposed concept site plans for the minor-sub node block and three medium density residential blocks are attached as Figure 3 to this report.

The following reports and supporting materials have been submitted in support of the application and are currently under review:

- Completed Application Forms and Fees;
- Plan of Survey (20R-18304), prepared by Rady-Pentek & Edward Surveying Ltd., dated July 9, 2009;
- Plan of Survey (20R-20658), prepared by Rady-Pentek & Edward Surveying Ltd., dated November 15, 2016;
- Topographic Survey, prepared by Rady-Pentek & Edward Surveying Ltd., dated May 1, 2015;
- Ecological Constraints Mapping, prepared by GEI Consultants, dated April 28, 2022;
- Draft Plan of Subdivision, prepared by Korsiak Urban Planning, dated April 18, 2022;
- Public Engagement Strategy, Korsiak Urban Planning, dated April 19, 2022;
- Planning Justification Report, prepared by Korsiak Urban Planning, dated May 2022;
- Transportation Impact Study, prepared by TYLin, dated May 9, 2022;
- Functional Servicing, Stormwater Management and Preliminary Design Report, prepared by DSEL, dated May 2022;
- Noise Feasibility Study, prepared by HGC Engineering, dated April 28, 2022;
- Preliminary Geotechnical Report (Garito Barbuto), prepared by AMEC Earth & Environmental, dated February 20, 2008;
- Preliminary Geotechnical Report (Tor), prepared by Shad & Associates Inc., dated July 29, 2016;
- Stage 1 & 2 Archaeological Study (Garito Barbuto South), prepared by Archaeologix Inc., dated August 2005;
- Ministry Clearance Letter for Stage 1 & 2 Archaeological Study;
- Phase 1 Environmental Site Assessment (ESA) Update, prepared by Pinchin, dated February 14, 2022;
- Letter of Reliance (Phase 1 ESA), prepared by Pinchin, dated February 17, 2022;

## Background

- Tree Management Plan (Garito Barbuto Tor Phase 1), prepared by LGL Limited, April 2022;
- Tree Management Plan (Garito Barbuto Tor Phase 2), prepared by LGL Limited;
- Built Form Guidelines, prepared by NAK Design Strategies, dated April 2022;
- Preliminary Site Plan - Minor Sub-Node, prepared by KNYMH, dated April 21, 2022;
- Preliminary Site Plan - Medium Density Residential Block 586, prepared by Korsiak Urban Planning, dated May 5, 2022;
- Preliminary Site Plan - Medium Density Residential Block 587, prepared by Korsiak Urban Planning, dated May 5, 2022;
- Preliminary Site Plan - Medium Density Residential Block 588, prepared by Korsiak Urban Planning, dated May 5, 2022;
- Stacked Towns - Concepts 1 and 2, undated;
- Pedestrian Management Plan, prepared by DSEL, dated April 2022;
- Waste Management Plan, prepared by Korsiak Urban Planning, dated April 20, 2022; and,
- Draft Zoning By-law Amendment, prepared by Korsiak Urban Planning, dated April 22, 2022.

It should be noted that during the early stages of pre-consultation, the applicant submitted preliminary information for staff and agency review in two parts and referred to these parts as Phase 1 (northern portion) and 2 (southern portion). However, the application as submitted and described herein does not identify that the subdivision will be a phased development. Phasing will be discussed throughout the consultation and review process and applied if appropriate, at a later date. Some reports noted above reflect the previous phasing references.

## Discussion

### Planning Policy

The subject lands are located within the Town's Urban Area and are designated Residential Area and Natural Heritage System Area as shown on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. The Residential Area designation means that the uses shall be primarily low to medium density residential dwellings. The purpose of the Natural Heritage System is to protect areas which have been identified as having environmental significance and to establish a Natural Heritage System which achieves an enhanced natural habitat and ecological functions that will be resilient to the impacts of the adjacent urban development.

## Discussion

Schedule K - Intensification Areas also designates Louis St. Laurent Avenue as an Intensification Corridor. Residential intensification is encouraged in these corridors and shall generally take the form of medium and high density residential uses in accordance with applicable policies of the Official Plan.

The subject lands are also located within the Boyne Survey Secondary Plan Area and are designated Residential Area, Minor Sub-Node Area, Residential Office Area, and Natural Heritage System as shown on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan. Schedule C.10.A - Boyne Survey Secondary Plan Community Structure Plan shows a requirement for a stormwater facility and Schedule C.10.B - Boyne Survey Secondary Plan Active Transportation and Natural Heritage System Plan establishes the proposed recreational pedestrian/bicycle trail system for the Boyne area. A key requirement of the secondary plan is to provide a trail system along the Natural Heritage System / watercourse corridor.

Similar to the general Official Plan policies, the Residential Area permits a variety of housing types and forms including medium density residential I and II uses, high density residential uses, local institutional uses and coach houses on public and condominium lanes or service roads.

The Minor Sub-Node Area designation is primarily for concentrations of mixed uses and higher residential densities at key intersection locations. These areas are intended to support the overall neighbourhood structure and, in particular, the use of public transit. The main permitted uses include a variety of high density residential, institutional and office uses and community facilities. Additional uses such as medium density residential, supportive housing and limited retail and service commercial uses that shall not exceed a combined total gross floor area of 450 square metres within the node, may be permitted subject to a comprehensive development plan for the entire node. The main permitted uses of the Residential/Office Area designation shall be office uses, high density residential uses, and medium density residential II uses.

The Minor Sub-Node Area and Residential/Office designations are conceptual on Schedule C.10.C, except where bounded by existing major roads. The exact configuration of these designations are to be established through the preparation of the tertiary plan. As per Section C.10.5.2.1, where a Subwatershed Impact Study results in the realignment of a watercourse corridor or a stormwater management facility such that the lands within the designation no longer have frontage on and direct access to an arterial road, the adjacent land use designation will be deemed to apply to such lands without amendment to the secondary plan. Through the tertiary planning exercise, refinements were made to the minor sub-node and given that a stormwater management facility was required along Fourth Line, the Residential/Office designation was removed from the lands and directed to the existing residential lots that do have frontage along Fourth Line.

Schedule C.10.D - Boyne Survey Secondary Plan Phasing Plan, shows the subject lands within Phase 3B (the second phase of development in the Boyne Survey area). As with other secondary plans within the Urban Expansion Area, the Boyne Survey Secondary

## Discussion

Plan contains phasing policies. Section C.10.6.1.1 states that prior to the approval of any applications for development in Phase 3B, building permits must have been issued for a minimum of 4,000 dwelling units in Phase 3A. This requirement has been achieved, and therefore the subdivision application can proceed.

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) under By-law 016-2014, as amended. Both of the existing Zones, only permit uses that legally existed on the date that the Zoning By-law came into effect. A Zoning By-law Amendment is required to provide the necessary zones and regulations to facilitate the development of the lands for a residential plan of subdivision. A draft Zoning By-law Amendment is attached as Appendix 1 to this report.

### **Site Plan Control**

Should the applications be approved, site plan approval will be required for the medium density residential condominium blocks and the Minor Sub-Node block, prior to the commencement of any development.

### **Public and Agency Consultation and Review Process:**

The application was deemed complete on May 24, 2022. Notice for the statutory public meeting has been provided pursuant to the requirements of the Planning Act and the Town's Official Plan via written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Canadian Champion Newspaper on June 23, 2022.

The application was circulated to internal departments and external agencies on May 24, 2022 with a commenting deadline of July 25, 2022.

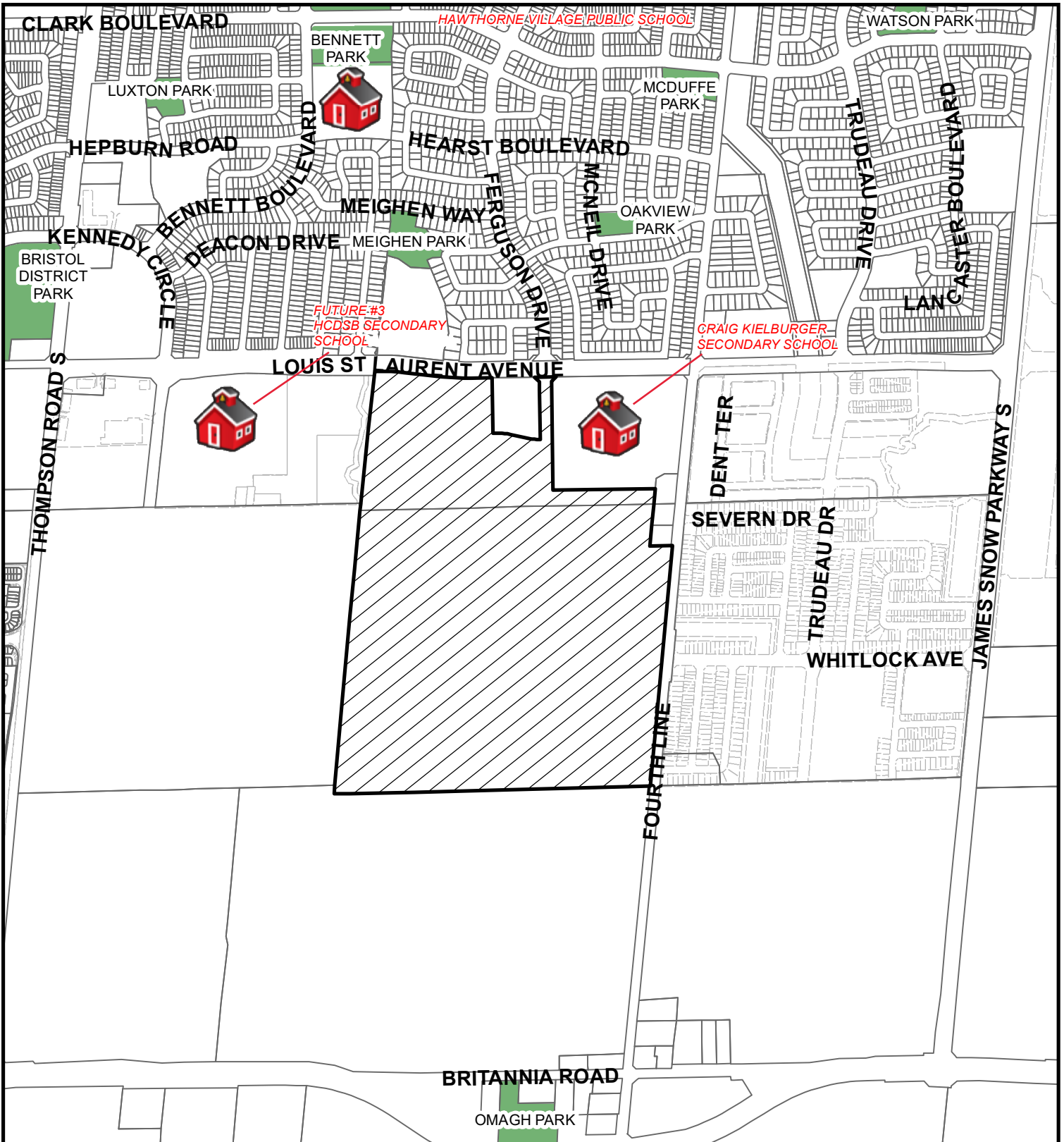
Staff have identified the following items to be reviewed and addressed:

- urban design
- relationship to adjacent subdivision proposals and existing uses
- interface with adjacent agricultural lands (including grading)
- stormwater management
- development within the Minor Sub-Node and future medium density condominium blocks
- traffic, access and road connectivity
- open space locations, trail configuration and pedestrian connections





# FIGURE 1 LOCATION MAP



Council Meeting Date:  
July 18, 2022

Scale: 1: 12,500

Files: Z-09/22

Development Services Department



Subject Property  
Page 252 of 459

Copyright 2022: Town of Milton, Teranet Inc.



FIGURE 2  
DS-084-22

DRAFT PLAN OF SUBDIVISION  
FILE 24T -

PART OF LOT 7 & 8  
CONCESSION 4, NEW SURVEY

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

GARITO BARBUTO TOR

OWNER'S AUTHORIZATION

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

SIGNED  DATE April 20, 2022  
Jason Saldergland, A.S.O.  
Mattamy (Brownridge) Limited  
433 Steeles Avenue East, Suite 110  
Milton, Ontario L9T 8Z4

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  DATE November 24, 2021  
Ross DenBroeder, Ontario Land Surveyor  
**rpe** R-PE SURVEYING LTD.  
ONTARIO LAND SURVEYORS  
643 CHRISLEA ROAD, SUITE 7, WOODBRIDGE, ONTARIO L4L 8A3  
Tel: (416) 635-5000 Fax: (416) 635-5001

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

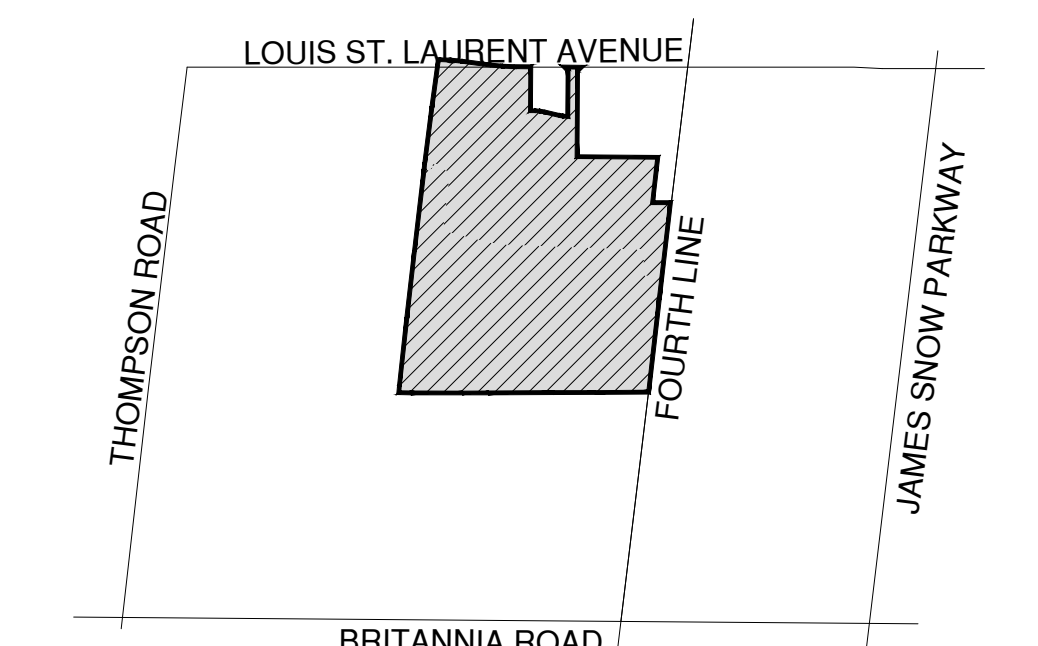
LAND USE SCHEDULE

Land Use	Blocks	Block Total	Area (ha)	Units
Minor Sub Node	1	1	3.01	TBD
Single Detached	2-4	3	0.36	18
Townhouse	5-567	563	17.87	563
Townhouse	568-585	18	2.28	115
Medium Density Residential	586-588	3	4.10	TBD
Open Space Block	589, 590	2	0.27	
Creek Block	591, 592	2	2.68	
Environmental Buffer Block	593-596	4	1.74	
Trail Block	597-599	3	0.44	
Woodlot Block	600, 601	2	1.89	
Woodlot Buffer Block	602, 603	2	0.49	
Servicing Block	604-609	6	0.22	
Stormwater Management Pond Block	610, 611	2	5.05	
Stormwater Pond Buffer Block	612-615	4	0.77	
Walkway Block	616-619	4	0.12	
Grading Block	620-624	5	0.16	
0.3m Reserve	625-629	5	0.00	
16m ROW (4,115 m)			6.74	
20m ROW (476 m)			0.95	
24m ROW (263 m)			0.63	
26m ROW (820 m)			2.16	
<b>Totals</b>	<b>629</b>	<b>629</b>	<b>51.93</b>	<b>696</b>

SDE CALCULATIONS

Unit Type	Blocks	Units	SDE*
Minor Sub Node	1	TBD	TBD
Single Detached	2-4	18	13.7
Townhouse	568-585	115	87.4
Medium Density Residential	586-588	TBD	TBD
<b>Totals</b>	<b>629</b>	<b>664.1</b>	

\* SDE Factors:  
Single Detached - 1.00  
Townhouse - 0.76  
Medium Density Residential & Minor Sub Node - TBD



KEY MAP  
N.T.S.



18/04/22	Original Submission	A	SP
DATE [D.M.Y.]	REVISION	DWG	BY

NOTES:  
\* Local/Local corner radii = 5m \* Collector/Arterial corner triangle = 15m  
\* Local/Collector corner triangle = 7.5m \* Pavement illustration is diagrammatic  
\* Collector/Collector corner triangle = 10m



SCALE 1:2000 April 18, 2022  
DRAWN BY: SP CHECKED BY: KC



206-277 Lakeshore Road East  
Oakville, Ontario L6J 1H9  
T: 905-257-0227  
info@korsiak.com





FIGURE 3  
DS-084-22

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.  
ALL DRAWINGS MAY BE SUBJECT TO CHANGE DUE TO COMMENTS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY.  
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECTS AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.  
THE CONTRACTOR WORKING FROM DRAWINGS NOT SPECIFICALLY MARKED FOR CONSTRUCTION MUST ASSUME FULL RESPONSIBILITY AND BEAR COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM HIS OR HER WORK.

KEY TO DETAIL LOCATION

No.	DETAIL NUMBER
No.	DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD.MM.YY)	BY
COMMON AMENITY AREA	1	08.07.2021	WH
TOWNHOUSE LOTTING	2	12.04.2022	WH

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED

REVISIONS TO DRAWING	No.	DATE (DD.MM.YY)	BY
NOT FOR CONSTRUCTION			

BUILDING PERMIT NUMBER:  
NOT FOR CONSTRUCTION WITHOUT PERMIT

**KNYMH**  
ARCHITECTURE • SOLUTIONS

KNYMH INC.  
1006 SKYVIEW DRIVE • SUITE 101  
BURLINGTON, ONTARIO • L7P 0V1  
T 905.639.6595  
F 905.639.0394  
www.knymh.com info@knymh.com

TRUE NORTH PROJECT NORTH

PRELIMINARY

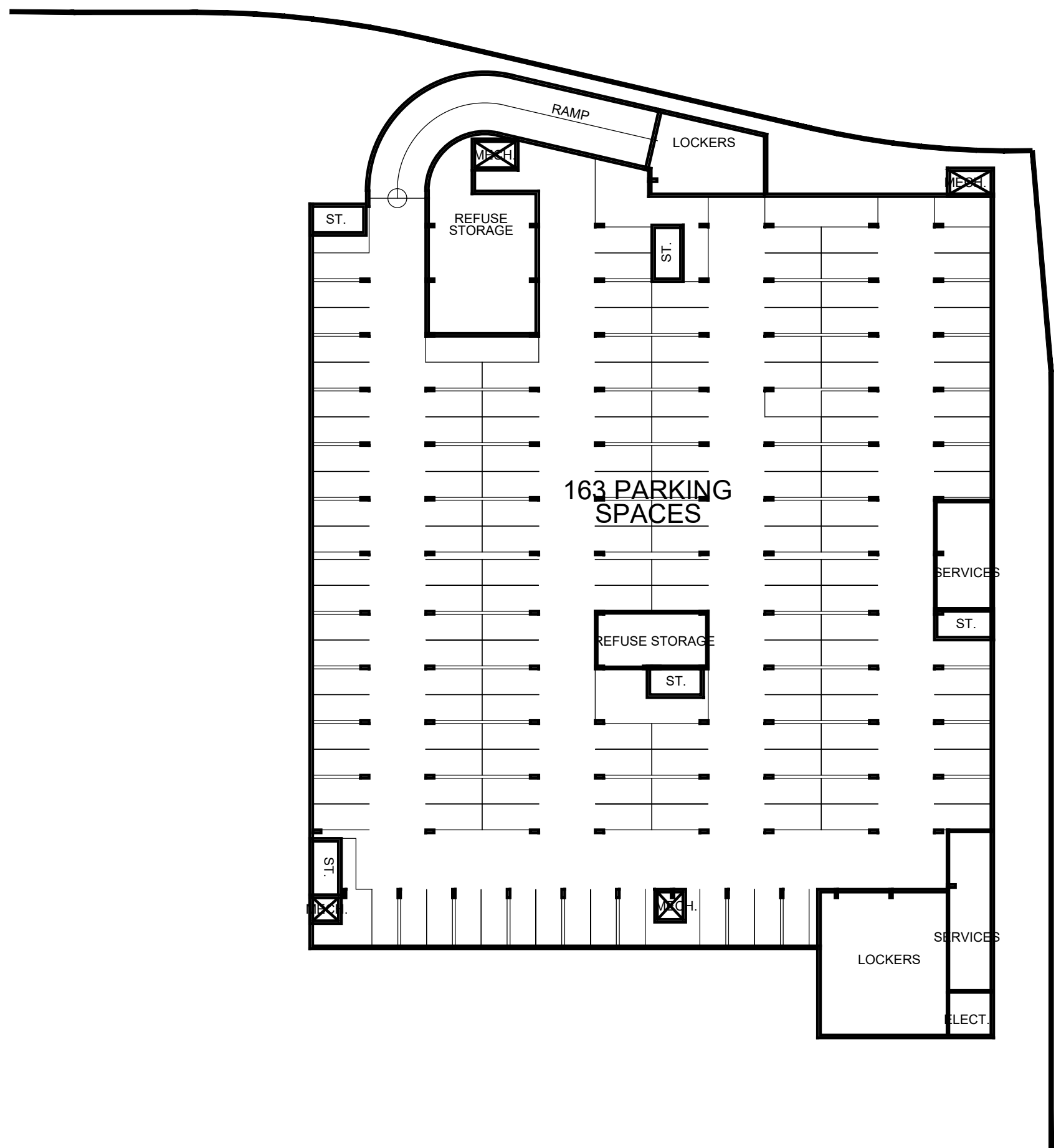
CONCEPT 3D

MATTAMY HOMES  
MINOR SUB NODE  
MILTON, ONTARIO

DRAWING SHEET TITLE:  
SITE PLAN

DRAWING SCALE: 1:500  
PROJECT NUMBER: 21407

DRAWN BY: CHECKED BY:  
DRAWING VERSION: 001  
PLOT DATE: April 21, 2022  
DRAWING SHEET NUMBER: SP1





TIMESTAMP: 2022-04-21 3:18:06 PM FILEPATH: C:\2022\121407 - Mattamy - Minor Sub Node\4. Drawing\03 Schematic Design\01 107 Site Plan South 2022-04-20.dwg



# GARITO BARBUTO TOR

## Medium Density Residential Block 586

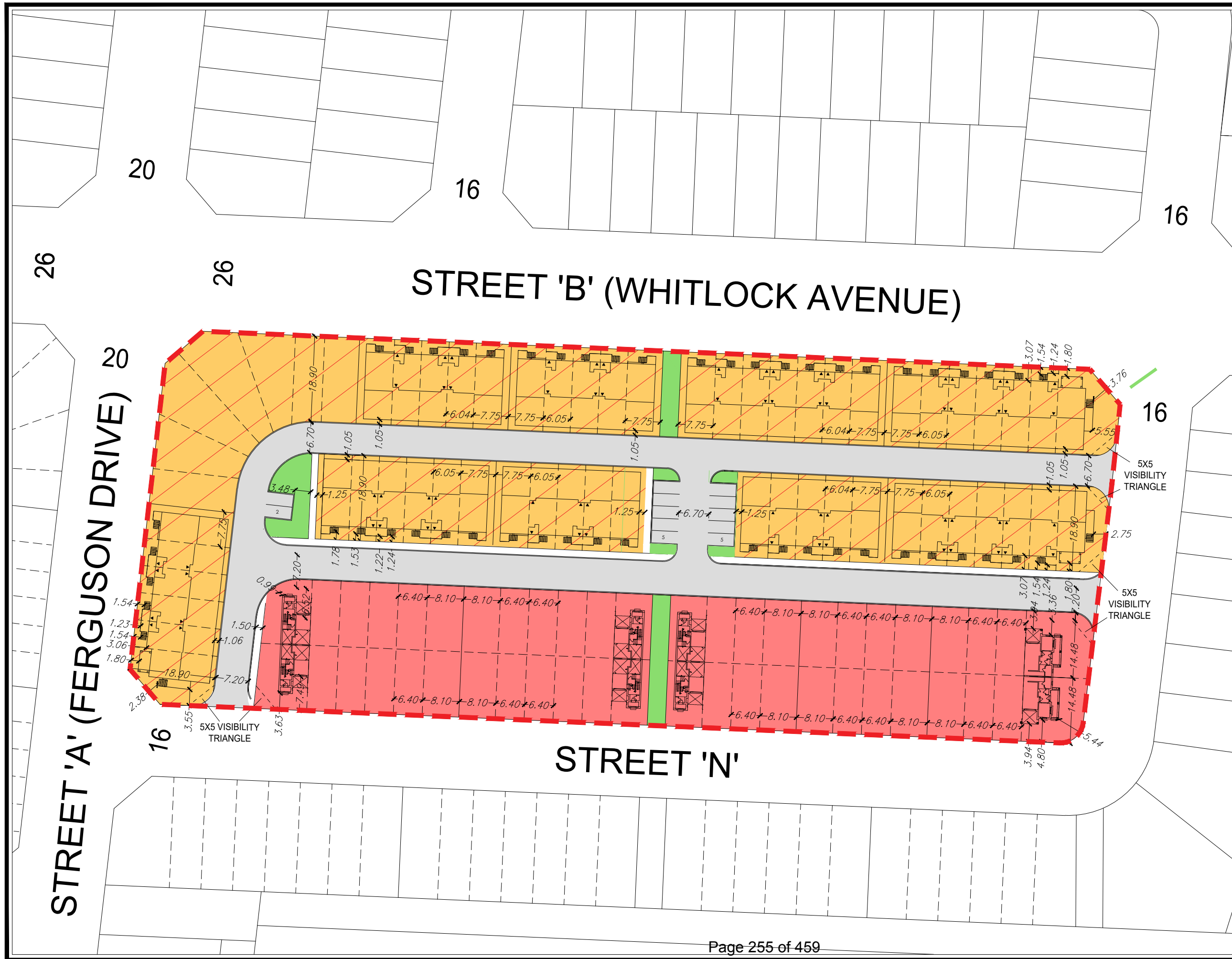
*Preliminary Site Plan*  
For Discussion Purposes

Product Type	Unit Count (±)
 Rear Lane Towns	60
 Back-to-back Towns	48
Total	108

Site Area: 1.75 ha  
Density: 61.7 UPH

**Visitor Parking Rate**  
Required: 47 unit @ 0.25/unit = 12 spaces  
Provided: 12 Spaces

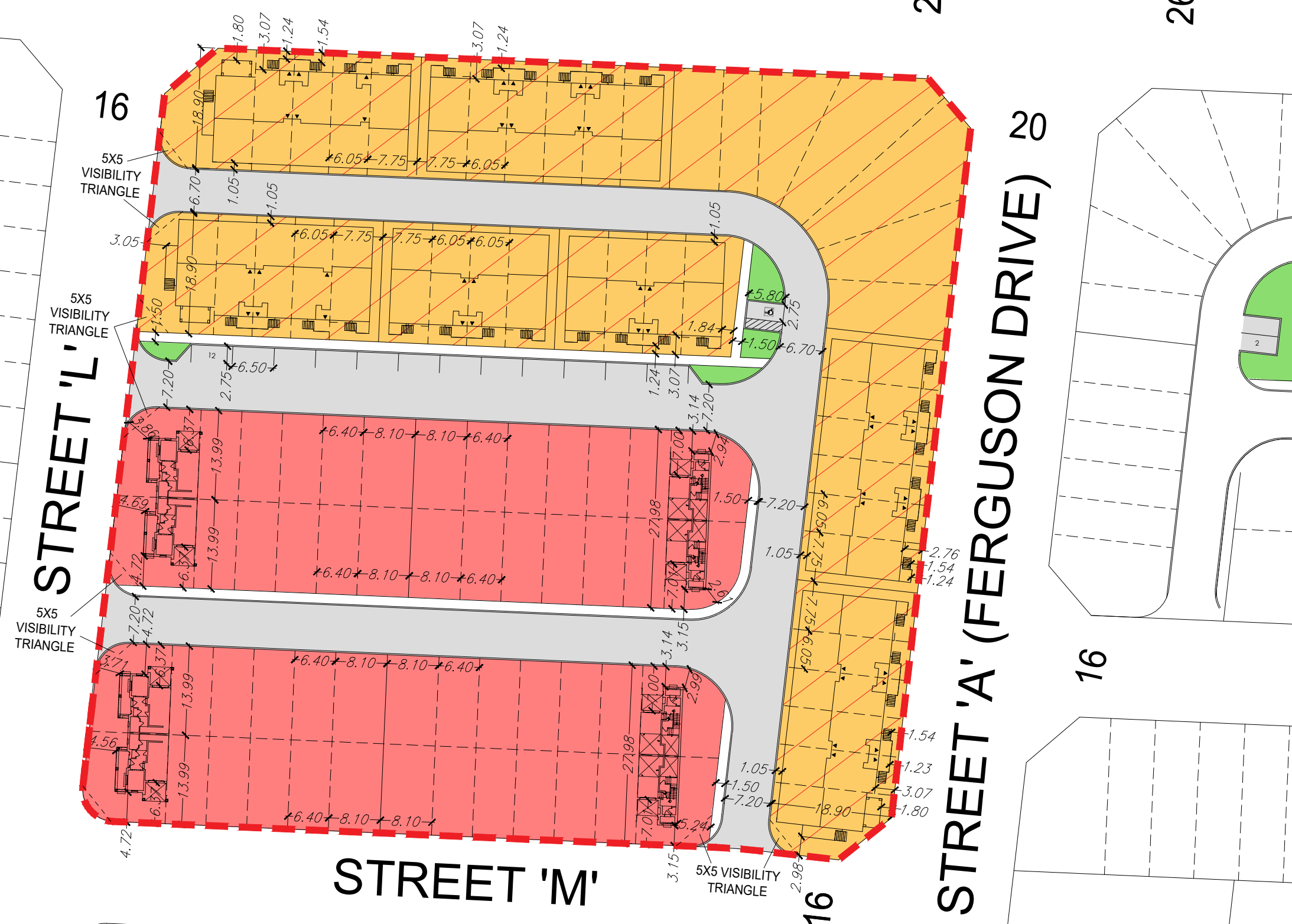
\*Visitor parking calculation assumes relief from requirements for units fronting municipal roads.



Scale 1:800  
May 5, 2022



€R=102.79m



# GARITO BARBUTO TOR

## Medium Density Residential Block 587

*Preliminary Site Plan*  
For Discussion Purposes

Product Type	Unit Count (±)
Rear Lane Towns	43
Back-to-back Towns	52
<b>Total</b>	<b>95</b>

Site Area: 1.54 ha  
Density: 62 UPH

**Visitor Parking Rate**  
Required: 52 unit @ 0.25/unit = 13 spaces  
Provided: 13 spaces on street

\*Visitor parking calculation assumes relief from requirements for units fronting municipal roads.



Scale 1:700  
May 5, 2022



**GARITO BARBUTO  
TOR**  
Medium Density Residential  
Block 588

*Preliminary Site Plan  
For Discussion Purposes*

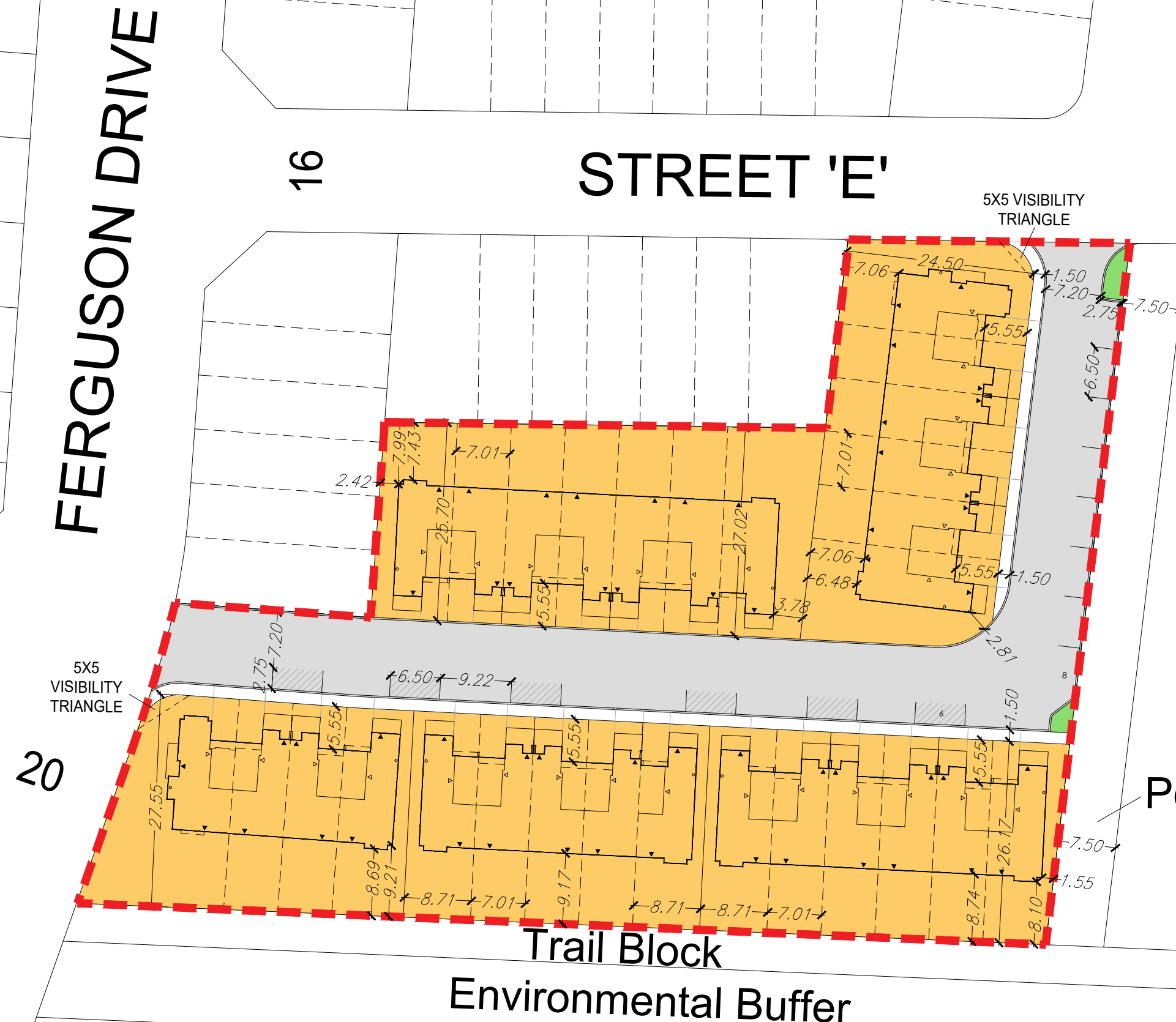
Product Type	Unit Count (±)
Townhouses	28
<b>Total</b>	<b>28</b>

Site Area: 0.81 ha  
Density: 34 UPH

**Visitor Parking Rate**  
Required: 28 unit @ 0.25/unit = 7 spaces  
Provided: 14 spaces on street

SWM Pond

SWM  
Pond Buffer



Trail Block  
Environmental Buffer

Creek Block



Scale 1:600  
May 5, 2022



**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. xxx-2022**

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOTS 6 AND 7, CONCESSION 3, (FORMER GEOGRAPHIC SURVEY OF TRAFALGAR) IN THE TOWN OF MILTON - MATTAMY (BROWNRIDGE) LIMITED – BAYVIEW LEXIS (TOWN FILE: TO BE ASSIGNED)

**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\*AAA) Zone, Residential Medium Density 2 - Special Section (RMD2\*BBB) Zone, Residential Mixed Use – Special Section (MU\*CCC), Natural Heritage System (NHS) Zone, Open Space (OS) Zone and Open Space 2 (OS-2) Zone symbols on the land as shown on Schedule A attached hereto.

**2.0 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, 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.
  - d. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot.
  - e. For the purposes of this By-law, where the front, exterior side, or rear lot line of a corner lot has a curved radius, for the purposes of determining lot frontage, depth, and setbacks, the radius shall be deemed not to exist and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.
  - f. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0.0 metres of a private street line.
  - g. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be setback 0.0 metres from a lot line, except where a parking area abuts.
- ii) Notwithstanding any provisions to the contrary, for Detached Dwelling – 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 the 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, 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:
    - 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, 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. 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 detached dwellings that are located at the corner of Whitlock Avenue and the roundabout, the following additional provisions shall apply:
    - i. The yard abutting Whitlock Avenue 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.
  - vi. Notwithstanding Section 4.8.1 i), within a front yard the maximum fence height shall be 2.0m.
  
- v) 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. 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.
  
- vi) 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): 15.0 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 metres
  - e. Notwithstanding Section vi) d. above, units with driveways abutting the inside or outside of a rounding or curve shall have a minimum rear yard setback of 0.6 metres.
  - f. At the intersection of two streets, no part of any residential driveway shall be located closer than:
    - i. 3.0 metres from the point of intersection of two private street lines, or;
    - ii. 4.5 metres from the point of intersection of one private street line and one public street line.
  - g. The minimum required outdoor amenity area per unit is 4 m<sup>2</sup>, to be provided on a balcony.
  - h. 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.
  - i. 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.

- j. Section 4.19.1 i) does not apply to a unit fronting on to a common element of a condominium.
- k. A maximum driveway width of 6.2 metres shall be permitted for lots with frontage less than or equal to 11.5 metres.
- l. Section 5.6.2 viii b) shall not apply.

**3.0 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) Townhouse Dwelling – Private Street, Rear Access shall be subject to the provisions of RMD1-AAA above.
- 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 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 or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side 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.
  - j. For the purposes of this By-law, where the front or exterior side lot line of a corner lot has a curved radius or a visibility triangle, for the purposes of determining lot frontage, depth, and setbacks, the radius or triangle shall be deemed not to exist and the lot frontage,

- depth, and setbacks will be measured to a projected extension of the straight segment.
- iii) Notwithstanding any provisions to the contrary, for all dwelling types, the following shall apply:
    - a. For units fronting a municipal road, the visitor parking requirement shall not apply.

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

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

- i) Special Site Provisions:
  - a. For the purpose of this by-law, where the lot line of a lot abuts a reserve of 0.3m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
  - b. Notwithstanding Section 5.12, Table 5L, to the contrary, a parking area may be located within 0 metres of a private street line.
  - c. Minimum landscaped open space shall not apply.
  - d. Maximum FSI: 3.0
  
- ii) Additional Permitted Uses:
  - a. Townhouse dwelling, subject to the standards of the RMD1\*AAA section
  
- iii) Notwithstanding any provisions to the contrary, for Apartment Buildings, the following shall apply:
  - a. Minimum interior side yard setback to Institutional Zone: 3.0 metres
  - b. Minimum interior side yard setback to Natural Heritage System Zone: 4.9 metres
  - c. The maximum main wall length shall be 85 metres.
  - d. Balconies oriented toward an arterial road are permitted above 3 metres from established grade.
  - e. The first storey height, measured from floor to floor, for residential buildings shall be a minimum of 3.5 metres.
  - f. Maximum building height: 15 storeys
  - g. Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement shall be:
    - h. 1.0 per dwelling unit;
    - i. 0.2 visitor parking spaces per dwelling unit;

- iv) Notwithstanding any provisions to the contrary, for Multiple Dwellings, the following shall apply:
  - a. Minimum setback to RMD\*AAA Zone: 6.0 metres
  - b. Notwithstanding Section 5.8.1, Table 5E, the minimum off-street parking requirement shall be:
    - i. 1.0 per dwelling unit;
    - ii. 0.2 visitor parking spaces per dwelling unit;

**5.0** 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 .....2022.**

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

\_\_\_\_\_ Clerk  
Meaghen Reid

**SCHEDULE A**  
**TO BY-LAW No. \*\*\*-2022**  
**TOWN OF MILTON**

PART OF LOT 7 & 8, CONCESSION 4 (TRAFALGAR)  
TOWN OF MILTON

