



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: April 15, 2024

Report No: DS-030-24

Subject: Additional Residential Units in the Urban Area - OPA & ZBLA Public Meeting

Recommendation: **THAT Report DS-030-24, with respect to Town initiated draft Official Plan and Urban Zoning By-law amendments regarding additional residential units in the Town's Urban Area, be received for information; and**

THAT Council directs Staff to draft amendments to the Official Plan and the Rural Zoning By-law to allow additional/accessory residential units within the Town's Rural Area where permitted by provincial policies.

EXECUTIVE SUMMARY

- This report presents draft Official Plan and Urban Zoning By-law amendments to permit additional residential units (ARUs) in the Town's Urban Area. These amendments address the Ontario Planning Act and Federal Housing Accelerator Fund requirements. The proposed policies and regulation for ARUs are discussed.
- This report provides an update on the review of the potential for permitting ARUs in the Town's Rural Area.
- This report discusses the need for a new registry by-law for ARUs and other by-law amendments, to enable the Town to manage potential impacts to the community.

REPORT

Background

Through Bill 23, the More Homes Built Faster Act, the Ontario Planning Act was changed to require local municipalities to permit up to two additional residential units (ARUs) on urban detached, semi-detached and townhouse lots that are served by municipal water and sewage services.

Background

Both ARUs may be located within the detached, semi-detached or townhouse. Alternatively, one ARU may be located in an accessory building on the same lot as the detached, semi-detached or townhouse and the other ARU may be located within the principal building.

The Town's existing Official Plan policies and Urban Zoning By-law regulations only permit a second residential unit within a detached or semi-link house. To achieve conformity with the updated Planning Act provisions, the Town's Official Plan and Urban Zoning By-law must be amended.

Staff initiated a review of the Town's Official Plan and Zoning By-law to update policies and regulations pertaining to ARUs in 2023. A background report ([DS-011-23](#)) regarding ARUs was presented to Council on March 06, 2023, which included a policy review, a municipal best practices review, policy and regulation considerations, and next steps.

On November 13, 2023, Council endorsed the Town's updated application to the federal Housing Accelerator Fund (HAF) through report [ES-011-23](#). The updated application included an initiative, as requested by the Federal Minister of Housing, Infrastructure and Communities, to permit four units as-of-right town-wide.

On January 22, 2024, it was announced that the Town was successful in its application for the HAF program. As noted in report [ES-011-23](#), should the Town be successful in its application for the HAF program, additional Council approvals will be sought in relation to the initiatives included in the Town's application.

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Consultations Undertaken

Staff started consultations for the additional residential units (ARUs) policies and regulations update in March 2023. Webpages providing information about the ARUs project were set up on the Town's website and the Let's Talk Milton engagement platform website. Two surveys, one regarding ARUs in the Urban Area and one regarding ARUs in the Rural Area, were conducted through the Let's Talk Milton webpage. The survey results are summarized in the Appendix D. Since the project's launch, Staff has also heard directly from residents who have contacted the Town about their thoughts on ARUs.

In addition to the consultations described above, Staff also held meetings with Conservation Halton, Habitat for Humanity Halton-Mississauga-Dufferin and land development firms to discuss policies and regulations for ARUs. Internally, various Town departments, including Building, Zoning, Fire Services, Development Engineering, Planning and By-law Enforcement met throughout the project process to discuss policies, regulations and implementation.

Based on the feedback received from the consultations described above, Staff have drafted an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBLA) for Urban Zoning By-law 016-2014, attached to this report as Appendix A and B respectively.

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The draft OPA and ZBLA were posted on the Town's ARU webpage on March 25, 2024. Staff held two public information centres (PICs) on April 08, 2024 and April 11, 2024 to present the draft policies and regulations, answer questions, engage in discussion and receive feedback.

ARUs in the Rural Area

As part of the consultation program, Staff also held meetings with the Nassagaweya Community Consultation Committee, Destination Campbellville Community Association, the Halton Region Federation of Agriculture and Conservation Halton to discuss the potential for ARUs in the Town's Rural Area.

The majority of the Town's rural lands is within the Ontario Greenbelt. Additionally, the majority of the Town's Greenbelt lands is designated Natural Heritage System (NHS) in the provincial Greenbelt Plan. The Greenbelt Plan does not permit additional residential units (ARUs) within the Greenbelt's NHS. Municipal policies must be consistent with provincial policies. As such, the Town would not be able to permit ARUs on any lands within the Greenbelt designated NHS. The Greenbelt Plan's NHS policies do not apply within the existing boundaries of settlement areas including hamlets.

The Niagara Escarpment Plan (NEP) applies to the Niagara Escarpment Area. The NEP allows second dwelling units within lands designated Escarpment Rural Area and Escarpment Recreation Area, subject to the NEP's General Development Criteria. All lands identified by the NEP within Milton are within the NEP's Area of Development Control. Within the Development Control Areas, local municipal zoning by-laws have no effect and a development permit issued by the Niagara Escarpment Commission is required for any proposed second dwelling units.

Based on the survey results regarding ARUs in the rural area (Appendix D), the discussions with the stakeholder groups and what Staff has heard from residents, it is recommended that Council directs Staff to draft amendments to the Official Plan and the Rural Zoning By-law to allow additional/accessory residential units within:

- the hamlets;
- rural lands within the Greenbelt outside of the Natural Heritage System, subject to the policies of the Greenbelt Plan; and
- any rural lands not within the Greenbelt or the Niagara Escarpment Commission Area of Development Control.

If Council endorses this recommendation, a public meeting, public information centres and the recommendation report can be brought forward in fall 2024.

Draft Official Plan Amendments for ARUs in the Urban Area

The draft Official Plan Amendment, attached as Appendix A, proposes to change the housing policies of the Town's Official Plan to permit additional residential units within the Urban Area. The definition for an additional residential unit (ARU) is proposed to be: "a

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self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that it is located either within a single detached, semi-detached or townhouse dwelling, or within an ancillary building or structure on the same lot as a single detached, semi-detached or townhouse dwelling. An ARU may also be referred to as an additional dwelling unit.”

This amendment also proposes to remove the Coach House definition and policies from the Bristol, Sherwood and Boyne Secondary Plans to remove redundancy. The new definition and policies for ARUs would allow the same housing form as the Coach House.

Within the Urban Area, ARUs would be permitted within the land use designations that permit single detached, semi-detached and townhouse dwellings, which include Residential Areas, and the Downtown Supportive Area and Low Density Residential Sub-Area within the Central Business District. ARUs would only be permitted on lands in the Urban Area that are served by municipal water and sewage services.

It is proposed that ARUs are permitted subject to conformity with policies that take into consideration public safety, servicing, stormwater management, community design and enforcement. Please see amendment number 4 in the table in Section 1.0 of the OPA. The policy directions of the Official Plan are to be implemented through the Zoning By-law and other applicable Town by-laws.

Since ARUs are now required by the province to be permitted on all urban lands with municipal servicing, the OPA proposes a policy that requires the potential for ARUs to be accounted for in the planning of new communities including infrastructure and community services capacity. It is also proposed that ARUs be encouraged to be created through the subdivision approval and construction process of new communities. These policies are intended to help facilitate the creation of ARUs in an efficient way.

ARU Registry and necessary regulatory by-law amendments

It is recommended, and has been identified as critical, by Staff that property owners who operate an ARU register for a municipal license and agree to the terms of a licensing by-law. The license will ensure that the Town has a record of contact for the property owner and that the property is in compliance with the Fire Prevention and Protection Act, the Ontario Building Code Act and the Town’s zoning by-law requirements. The license will allow essential services and responders be informed about total number of units within a dwelling and the location of units within the interior of the dwelling. Establishing a licensing program for ARU’s would assist in mitigating the impacts to the community and would provide additional enforcement regulations in addition to the existing, applicable regulatory by-laws (i.e. noise and parking).

Also, to manage the impacts of ARU’s on the community, staff are reviewing the Town’s House Numbering By-law 026-2010. Amendments to this By-law will support emergency service needs and provide clarity to the external and internal numbering of accessory units. Through the development of these amendments, the Town’s enforcement team is

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collaborating with Milton Fire to determine what would be required in order to support fire and emergency response for all units within a dwelling.

The necessary by-laws and by-law amendments to support the registry of ARUs and emergency services requirements will be brought forward at the time in which the planning technical report is considered by Council for the required Official Plan Amendment and Zoning By-law Amendment.

Draft Zoning By-law Amendments for the Urban Zoning By-law

The draft amendment to Urban Zoning By-law 016-2014 (ZBL), attached as Appendix B, proposes revised zoning regulations pertaining to ARUs. A chart summarizing the draft zoning regulations is attached as Appendix C.

Terminology

ARUs are referred to as additional dwelling units (ADU) in the proposed amendment to match the existing terminology in the ZBL. Similar to the ARU definition proposed in the Official Plan Amendment, an ADU is proposed to be defined as: “a self-contained dwelling unit that is subordinate to a principal dwelling unit in a detached dwelling, semi-detached dwelling, semi-link dwelling, or townhouse dwelling and is located within the same building, or within an accessory building on the same lot, as the principal dwelling unit.”

Some other definitions in the ZBL are also proposed to be amended to facilitate the ADU provisions and to distinguish between different dwelling types. For example, a single-detached dwelling with one or more ADUs would not be considered a duplex, triplex or quattroplex (fourplex) and would be subject to different regulations in the ZBL.

Where Permitted

Within the Urban Area, ADUs are proposed to only be permitted on residential lots that are served by municipal water and wastewater services. Lands within the Urban Area that currently do not have municipal services would be permitted to have ADUs in the future if and when municipal services are extended.

ADUs would be permitted in any zone that permits detached, semi-detached, semi-link and townhouse dwellings. However, ADUs would not be permitted on lands identified by a Conservation Authority as hazard lands or as being within the regulatory flood plain, unless specifically permitted by the Conservation Authority having jurisdiction.

Number of Units and Configuration

The amendment proposes to permit up to three (3) ADUs per lot, for a total of four dwelling units on a lot. This permission for up to four units fulfills the Planning Act requirement and the initiative committed to for the Town’s Housing Accelerator Fund.

All three ADUs may be located within the same building as the principal dwelling (the detached, semi-detached, semi-link or townhouse dwelling). Alternatively, one ADU may

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be located within an accessory building on the same lot as the principal dwelling and the other two ADUs may be located within the same building as the principal dwelling. An ADU within an accessory building may be located within a back yard or an interior side yard.

Depending on the ability of a lot to meet the requirements of the Zoning By-law, such as parking, emergency access, lot coverage, etc., some lots may be able to accommodate four units on a lot while some may not.

Parking

Since the background report for ARUs was presented to Council in March 2023, the Province has clarified the Planning Act provision regarding parking for ARUs. The Planning Act language passed through Bill 23 restricted municipalities' ability to require more than 1 parking space for each dwelling unit on a lot, including the principal dwelling unit. On June 8, 2023, the Province passed Bill 97, the Helping Homebuyers, Protecting Tenants Act, which further amended the Planning Act to clarify that the restriction of 1 parking space per dwelling unit does not apply to the principal dwelling unit.

The Town's current ZBL requires that a minimum of 2 parking spaces be provided for each principal dwelling unit plus a minimum of 1 parking space be provided for each ADU. For example, for a house to have a dwelling unit in the basement, 3 parking spaces total would be required.

Staff has heard from many residents that the Town's current parking requirements restrict their ability to add an ADU on their property. On the other hand, Staff is aware that some neighbourhoods in the Town already do not have enough parking spaces to meet the existing demand.

The development of a transitional neighbourhood parking strategy has been identified as a strategic imperative within the Town's 2023-2027 Strategic Plan. This plan will be presented in the coming months to Council with recommendations and pilot solutions to support the changing needs of the community.

In addition to the implementation of the parking strategy, the Town's current by-laws do not prevent residents from parking on their driveway aprons or on the lower part of their driveway that is Town-owned. Driveway aprons are the part of the boulevard between the sidewalk and the curb that is Town-owned.

Taking into consideration the Town's initiatives to enable more parking as well as the Town's housing objectives, Staff is proposing for a reduction in the number of parking spaces required for the principal dwelling unit if an ADU is being created on a lot. Whereas a minimum of 2 parking spaces for a detached, semi-detached or townhouse dwelling would be required on a lot that has no ADU(s), only 1 parking space for the principal dwelling unit would be required if a lot has an ADU. Each ADU would still be required to have a minimum of 1 parking space each in addition to the parking space required for the principal dwelling unit. For example, instead of 3 parking spaces total being required for a

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single-detached house with a basement dwelling unit, 2 parking spaces total would be required.

Additionally, Staff is proposing that the minimum required width of a parking space located on a residential driveway be reduced from 2.75 metres to 2.55 metres. In 2023, the Town received 31 minor variance applications that included a reduction to the width of required parking spaces on residential driveways to facilitate the creation of an ADU. In all cases, the minor variance was approved by the Committee of Adjustment. Staff is not proposing to reduce the minimum required length of a parking space on a residential driveway to prevent the potential overhang of vehicles and the blocking of sidewalks.

Fire and Emergency Services Access

Access for fire and emergency services to respond in the event of a fire and/or emergency need to be provided and maintained for ADUs. This amendment proposes a requirement for an unobstructed access, with a minimum width of 1.2 metres and minimum vertical clearance of 2.1 metres, from the street to the primary entrance of each ADU.

In addition to the access requirement noted above, the building setbacks proposed in this amendment also take into consideration fire and emergency services access to both the principal building and any accessory buildings on a lot containing an ADU. The proposed setbacks will be discussed below. ADUs must also meet provincial building code and fire code regulations.

Heights and Setbacks

For ADUs located within the same building as a single-detached, semi-detached, semi-link or townhouse dwelling, the maximum heights and the minimum setbacks from lot lines currently established in the ZBL for those buildings would apply. No changes to the height and setback regulations are proposed for those principal dwellings. Any additions to accommodate an ADU within the same building as the principal dwelling must meet the maximum height and minimum setbacks required for the principal dwelling.

The Town's current ZBL does not permit ADUs in an accessory building on a residential lot. As such, new regulations need to be established for this type of built form. For compatibility and to manage impact on existing neighbourhoods, the maximum heights proposed for an accessory building containing an ADU are intended to limit these buildings to one-storey. The only exception is for accessory buildings where an ADU is located above a detached garage, in which case a two-storey building is permitted.

The proposed setbacks differ depending on whether the accessory building with an ADU contains a detached garage and whether it is one-storey or two-storeys. The magnitude of the setbacks is proposed based on considerations such as managing impact on neighbouring properties, and fire and emergency services access. Please see Appendix C for the heights and setbacks proposed for accessory buildings containing an ADU.

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Lot Coverage

Lot coverage refers to the amount of area on a lot that is covered by buildings. The existing definition for lot coverage in the ZBL excludes accessory buildings, with the exception of detached garages, from the lot coverage calculation. However, this amendment proposes that an accessory building containing an ADU be included in the lot coverage calculation.

For the low density residential zones (RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6 and RLD7), the Zoning By-law has existing maximum lot coverage regulations. These lot coverage regulations were established through the Mature Neighbourhoods Study, which was completed in 2022. To maintain the character of the mature neighbourhoods, the existing lot coverages for these zones are not proposed to be changed.

All of the single-detached, semi-detached, semi-link and townhouse lots within the “new community” areas of Bristol, Sherwood and Boyne are zoned Medium Density Residential (either RMD1 or RMD2). There are currently no lot coverage regulations for RMD1 and RMD2 zones in the ZBL. Instead, the amount of yard space on a lot is regulated by minimum setback requirements.

The subdivisions in the “new community” areas are designed based on standard assumptions for the amount of impermeable area on each lot. Impermeable area refers to areas where water cannot seep/infiltrate into the ground, such as areas covered by buildings and paved areas. Significantly increasing the amount of impervious area in a community increases the risk of flooding.

The new permissions for an ADU within an accessory building has the potential to significantly increase the amount of impervious area on a lot. As such, a regulation is proposed to ensure a minimum percentage of a lot remains permeable to allow the infiltration of water into the ground. On lots that propose to add an ADU in an accessory building in a RMD1 or RMD2 zone, a minimum 35% of a lot’s area need to be permeable landscaping for detached, semi-detached and semi-link lots, and a minimum 25% for townhouse lots.

Floor Area

ADUs are intended to be subordinate to the primary single-detached, semi-detached, semi-link or townhouse dwelling and integrate into existing neighbourhoods. As such, maximum floor area regulations are proposed to limit the size of ADUs. Generally, larger lots are permitted more floor area for ADUs. The amendment proposes the following floor area regulations:

For ADUs located within the same building as the principal dwelling, the floor area of each ADU located on the first storey or above shall not exceed 85 m². In addition, the floor area of all ADUs located on the first storey or above shall not cumulatively exceed a maximum of 50% of the floor area of the principal dwelling unit. An ADU located in a basement may occupy the entire basement.

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For an ADU located in an accessory building that does not include a detached garage, the gross floor area of the building shall not exceed 10% of the lot area or 110 m², whichever is less. For example, a 350 m² lot would be permitted a maximum 35 m² accessory building that contains an ADU.

For an ADU located in the same accessory building as a detached garage, the floor area of an ADU shall not exceed the floor area of the principal dwelling unit or 110 m², whichever is less. In addition to the maximum floor area for the ADU, the gross floor area of a one-storey building containing an ADU and a detached garage shall not exceed 10% of the lot area or 145 m², whichever is less. And for a two-storey building containing an ADU and a detached garage, the gross floor area of the first storey of the building shall not exceed 10% of the lot area or 110 m², whichever is less.

Any zoning regulations to establish a minimum size for an ADU is not permitted by the Planning Act. However, the minimum size required to accommodate Ontario Building Code requirements for a dwelling unit is 17.5 m² (188 ft²).

Other Regulations

In addition to the proposed regulations discussed above, the amendment also includes the following provisions:

An ADU would be permitted within an accessory building containing an attached or detached garage accessed by a lane. The proposed regulations are mostly the same as street access accessory buildings containing a detached garage and an ADU, with the exception of the setback required from the rear lot line.

A deck that is accessory to an accessory building containing an ADU is proposed be limited to 0.6 m in height and no higher than the floor of the first storey. A porch/veranda is also proposed to not be permitted to be located above the floor of the first storey. Balconies are proposed to not be permitted on any wall of an accessory building containing an ADU that faces an abutting residential zone. Rooftop patios are proposed to not be permitted for any accessory buildings containing an ADU. Eaves and gutters that are 2.0 metres above grade on an accessory building containing an ADU may project a maximum of 0.45 metres into any required setback.

For a principal building on a lot, some amendments are proposed for permitted encroachments into required yard setbacks. Window wells would be permitted to encroach a maximum of 0.55 metres into a required interior side yard, no closer than 1.2 m to an exterior side lot line and no limit on encroachment into a rear yard. It should be noted that for ARUs with a side yard primary entrance, the 1.2 metre unobstructed access requirement from the street to the primary entrance would still apply. A window well would be considered an obstruction.



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The amendment also proposes to allow below grade stairs accessing a principal building to be permitted to encroach into an exterior side yard, but no closer than 1.2 metres from the exterior side lot line.

One of the concerns about the addition of ADUs in Milton is about their potential use as short-term rentals. Additionally, in consideration of the current shortage of housing in Ontario, the creation of ADUs should contribute primarily to providing long-term accommodations. As such, it is proposed that only one dwelling unit on a lot may be used as a short-term rental.

Financial Impact

With respect to financial considerations for an ARU Registry and necessary regulatory by-law amendments, staff will report back to Council with further implementation details including the projected financial implications, user fees, as well as the required implementing By-laws.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Wendy Chen

Phone: Ext. 2296

Attachments

- Appendix A: Draft Official Plan Amendment
- Appendix B: Draft Zoning By-law Amendment
- Appendix C: Summary of the Draft Zoning Regulations
- Appendix D: Summary of Survey Results

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: LOPA-03/24.

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. THAT Amendment No. 80 to the Official Plan of the Town of Milton, attached hereto, is hereby adopted.
2. THAT pursuant to Subsection 17(27.1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect on the day after the day it was adopted by Council, if no appeal is filed pursuant to Subsections 17 (24.1.1) and (25). Where an appeal has been filed under Subsection 17 (24.1.1) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. 80 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON [DATE]

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

AMENDMENT NUMBER 80

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

**PART 2 THE AMENDMENT, consisting of the following text constitutes
Amendment No. 80 to the Official Plan of the Town of Milton**

DRAFT

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 80 to the Official Plan of the Town of Milton
(File: LOPA 03/24)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to update the Town of Milton's Official Plan to permit additional residential units on urban detached, semi-detached and townhouse lots that are served by municipal water and sewage services.

LOCATION OF THE AMENDMENT

The policies apply to the Town's Urban Area as shown on Schedule A of the Town of Milton Official Plan.

BASIS OF THE AMENDMENT

This amendment will bring the Town of Milton's Official Plan into conformity with Subsection 16(3), 16(3.1) and 16(3.2) of the Planning Act.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 80 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. 80, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Text Change (Additions are shown in red underline and deletions are shown in yellow strikethrough)

No.	Section No.	Modification
	<i>2.7</i>	<i>Housing</i>
1.	2.7.3.13	Is modified to delete subsection a) and renumber the remaining subsections: The present and future demand for housing in Milton will be accommodated, in part, through forms of intensification, which include the efficient use of vacant residential lands, underutilized lots and existing housing stock in all neighbourhoods, while recognizing the flood susceptibility in the urban core. Intensification may include the following subject to the provisions of Section 3.5: a) modification of existing or construction of new dwellings to include a second residential unit subject to Section 3.2.3.9 of this Plan;
2	2.7.3.14	Is deleted in its entirety: The addition of a second residential unit in an existing dwelling will be permitted subject to Section 3.2.2.9 of this Plan.
3	2.7.3.15 to 2.7.3.17	Is renumbered to 3.7.3.14 to 3.7.3.16.
4	New 3.7.3.17	A new subsection is added with the title: <u>ADDITIONAL RESIDENTIAL UNITS:</u> <u>To increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, increase opportunities for affordable housing and provide gentle intensification, additional residential units (ARUs) shall be permitted within the Urban Area subject to conformity with the following:</u>

No.	Section No.	Modification
		<ul style="list-style-type: none"> a) <u>An ARU shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;</u> b) <u>An ARU will be compatible with neighbouring properties and the surrounding neighbourhood by taking into consideration scale and built form;</u> c) <u>An ARU must be connected to adequate municipal water and sewage services;</u> d) <u>An ARU must have no adverse effect on stormwater management systems;</u> e) <u>An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;</u> f) <u>Safe access to an ARU must be ensured by meeting fire and emergency service requirements;</u> g) <u>Severance of an ARU from the lot shall not be permitted; and</u> h) <u>An ARU shall be registered with the Town in accordance with the provisions of the Municipal Act.</u>
5	2.7.3.18	Is renumbered to 3.7.3.19.
6	New 2.7.3.18	<p>A new subsection is added:</p> <p><u>Additional residential units (ARUs) shall not be subject to the density provisions of this Plan. However, the potential for ARUs shall be accounted for in the planning of new communities including infrastructure and community services capacity. ARUs shall be encouraged to be created through the subdivision approval and construction process.</u></p>
	<i>3.2</i>	<i>Residential Area</i>
7	3.2.2 g)	<p>Is modified to read as follows:</p> <p>g) <u>A second residential unit</u> <i>Additional residential units</i> <u>within an existing dwelling</u> in accordance with the policies of subsection 3.2.3.9 <u>2.7.3.17 and 2.7.3.18;</u></p>
8	3.2.3.9	<p>Is deleted in its entirety:</p> <p>SECOND RESIDENTIAL UNITS</p>

No.	Section No.	Modification
		<p>Second residential units within existing single-detached, semi-detached, row houses, and in accessory structures, shall be permitted as of right in the Residential Area designation, provided that all of the following criteria can be met:</p> <p>a) the use shall be located in an existing single-detached, semi-detached, row houses, and in accessory structures where adequate municipal piped water and wastewater services are available and connected;</p> <p>b) the site is accessible to public transit;</p> <p>c) there will be no significant changes to the external character of the building or property;</p> <p>d) all of the requirements of the Zoning By-law, including the provision of adequate parking, of the Ontario Building Code, of the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied; and,</p> <p>e) the existing dwelling is not within the <i>Regulatory Flood Plain</i>.</p>
9	3.2.3.10	<p>Is deleted in its entirety:</p> <p>Second residential units shall not be subject to the density provisions of this Plan. As a condition of approval, the <i>Town</i> shall require that <i>dwelling</i> units containing a second residential unit be registered with the <i>Town</i> in accordance with the provisions of the <i>Municipal Act</i>.</p>
	3.5	<i>Central Business District</i>
10	3.5.3.18	<p>Is modified to add subsection l):</p> <p>The following uses may be permitted in the Downtown Supportive Area:</p> <p><i>l) additional residential units</i></p>
11	3.5.3.20	<p>Is modified as follows:</p> <p>The permitted uses within the Central Business District Low Density Residential Sub-Area shall be single detached, semi-detached, and duplex dwellings and <i>additional residential units</i>. <i>Development</i> shall be subject to the policies of subsections 2.10.3.35 to</p>

No.	Section No.	Modification
		2.10.3.41 inclusive, subsections 5.4.3.11 and 5.4.3.12, and Section 3.2 of this Plan.
	<i>5.10</i>	<i>Interpretation</i>
12	5.10.6	<p>The following is added to the list of definitions in alphabetical order:</p> <p><u>ADDITIONAL RESIDENTIAL UNIT (ARU) means a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that it is located either within a single detached, semi-detached or townhouse dwelling, or within an ancillary building or structure on the same lot as a single detached, semi-detached or townhouse dwelling. An ARU may also be referred to as an additional dwelling unit.</u></p>
13	5.10.6	<p>The following is removed from the list of definitions:</p> <p><u>COACH HOUSE means a small, accessory building, either attached by an enclosed walkway or breezeway or physically separate from the principal dwelling unit with which it is associated, which shall be used for vehicle storage for the principal dwelling unit, as well as for a self-contained dwelling unit or for activities accessory to those permitted in the principal dwelling unit.</u></p>
	<i>C.6</i>	<i>Bristol Survey Secondary Plan</i>
14	C.6.5.1.2	<p>Is modified to delete subsection c):</p> <p>The permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of this Plan with the exception that:</p> <p><u>e) Coach houses, deemed to be an accessory dwelling, shall be permitted on hybrid roads for dwelling units which do not front on the hybrid road.</u></p>
	<i>C.8</i>	<i>Sherwood Survey Secondary Plan</i>
15	C.8.5.1.2	<p>Is modified to delete subsection c):</p> <p>The permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of this Plan with the exception that:</p>

No.	Section No.	Modification
		<p>e) Coach houses, deemed to be an accessory dwelling, shall be permitted on hybrid roads for dwelling units which do not front on the hybrid road. Coach houses are accessory dwelling units located in a separate building on a lot, usually part of a garage, while hybrid roads are public roads which have dwellings fronting on one side and the rear yards of dwellings, including garages, on the other side.</p>
	<i>C.10</i>	<i>Boyne Survey Secondary Plan</i>
16	10.5.1.1	<p>Is modified to read as follows:</p> <p>The following uses shall be permitted in the Residential Area designation on Schedule "C.10.C" together with the uses permitted in Section B.3.2.2 d), e), f), <u>g</u>, i) and j):</p> <p>e) Coach houses on public and condominium lanes or service roads.</p>

End of text

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2024

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 URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-05/24).

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 lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. 80 taking full effect;

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

- 1.0 **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the definition of **DWELLING UNIT** and replacing it with the following:

DWELLING UNIT

Means a room or group of rooms designed, occupied, or capable of being occupied as a single, self-contained housekeeping unit which contains separate sanitary facilities, living quarters, and cooking facilities.

- 2.0 **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the definitions of **DWELLING UNIT**, **ACCESSORY** and **GARDEN SUITE**.

- 3.0 **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following definitions:

DWELLING UNIT, ADDITIONAL

Means a self-contained *dwelling unit* that is subordinate to a principal *dwelling unit* in a *detached dwelling*, *semi-detached dwelling*, *semi-link dwelling*, or *townhouse dwelling* and is located within the same *building*, or within an *accessory building* on the same *lot*, as the principal *dwelling unit*.

- 4.0 **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the definitions below as follows (Note: deletions are shown as a strikethrough and additions are underlined):

DRIVEWAY, RESIDENTIAL

Means a hard surface (consisting of, but not limited to, asphalt, concrete, patterned concrete, interlocking brick, or paving stone) on a *lot* having a residential *use* containing less than four (4) *dwelling units*, exclusive of any *additional dwelling unit(s)*, upon which vehicles drive and park, and includes an adjacent hard surface, capable of being parked or driven upon by part or the whole of a *motor vehicle*, such as, but not limited to, walkways, banding, or curbing.

DWELLING, DETACHED

Means a *building* containing not more than one *dwelling unit*, exclusive of any ~~accessory~~ *additional dwelling unit(s)*.

DWELLING, DUPLEX

Means a *building* divided horizontally above grade into two *dwelling units*, exclusive of any *additional dwelling unit(s)*, where each unit has an independent entrance directly from the outside or through a common vestibule or common corridor.

DWELLING, MULTIPLE

Means a ~~*dwelling unit*~~ in a *building* containing four or more *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor but does not include a *townhouse dwelling*, *stacked townhouse dwelling*, *quattroplex dwelling* ~~or an~~ *apartment building*, or a residential *principal building* containing *additional dwelling unit(s)*.

DWELLING, QUATTROPLEX

Means a *building* containing four *dwelling units* divided vertically and horizontally, and each of which has an independent entrance directly from the outside or through a common vestibule or common corridor, but does not include a residential *principal building* containing *additional dwelling unit(s)*.

DWELLING, SEMI-DETACHED

Means a *building* divided vertically by a common wall into two *dwelling units* above grade, exclusive of any *additional dwelling unit(s)*.

DWELLING, SEMI-LINK

Means two *detached dwellings* which are only attached below *grade*, exclusive of any ~~accessory dwelling unit~~ *additional dwelling unit(s)*.

DWELLING, TOWNHOUSE

Means a *building* divided vertically by *common walls* into 3 or more *dwelling units* above *grade*, exclusive of any *additional dwelling unit(s)*, ~~and~~ whereby each *dwelling unit* has an independent entrance into the unit from the outside and whereby each unit has access to the *rear yard*.

DWELLING, TRIPLEX

Means a *building* divided horizontally into three *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor, but does not include a residential *principal building* containing *additional dwelling unit(s)*.

LANDSCAPING, PERMEABLE RESIDENTIAL

Means ~~the vegetative~~ landscaped surface areas (level or otherwise) ~~capable of supporting the growth of vegetation~~ that permit the infiltration of water into the ground such as grass, trees, shrubs, flowers, ~~berms or~~ other plants, ~~berms, river rock, decorative stone and permeable pavers~~, but does not include gravel or artificial turf, on a *lot* having a residential *use* containing ~~less than~~ four (4) or fewer *dwelling units*.

PARKING AREA

Means an open area, other than a street, used for the temporary loading or unloading of service vehicles, or the temporary parking of two or more vehicles that includes *loading spaces*, *parking spaces* and aisles and is available for public use as an accommodation for clients or customers or residents, and shall also include residential uses containing four or more *dwelling units* on the same *lot*, exclusive of any *additional dwelling unit(s)*, but does not include the storing of impounded, wrecked and/or otherwise inoperable vehicles.

- 5.0 THAT Section 4.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting subsection iv) and renumbering the subsequent subsections accordingly.
- 6.0 THAT Section 4.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the phrase “those containing an *additional dwelling unit*,” after the word “excluding”.
- 7.0 THAT Section 4.2.2.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection iv) as follows:
- iv) In addition to the regulations set out in Section 4.2.2.1, a *detached garage* that contains an *additional dwelling unit* is permitted on a *lot* in accordance with the following requirements:

Requirements Specific to *Street Access* and *Lane Access Detached Garages* Containing an *Additional Dwelling Unit*

- a) All *detached garages* containing an *additional dwelling unit* shall be subject to the following:
- i) it is located in the *interior side yard* or *rear yard* of the *lot* only;
 - ii) it is located no closer than 1.2 m from an *interior side lot line*, unless it is attached to a *detached garage* on an *abutting lot*;
 - iii) it is located no closer to the *exterior side lot line* than permitted for the *principal building*;
 - iv) it is located no closer than 5.5 m from the *principal building* on a *lot*;
 - v) the Floor Area of the *additional dwelling unit* shall not exceed the Floor Area of the principal *dwelling unit* or 110 m², whichever is less;
 - vi) notwithstanding any other provision of this by-law to the contrary, for the purposes of this section, Floor Area shall mean the total area of all floors of a dwelling unit, measured from the interior walls, excluding basements, stairs and landings, cold cellars, and unfinished mechanical rooms; and
 - vii) roof-top patios shall not be permitted.
- b) In addition to the requirements set out in subsection a), a one *storey detached garage* shall be subject to the following:
- i) the *gross floor area* shall not exceed 10% of the lot area or 145 m², whichever is less;
 - ii) it is located no closer than 1.5 m from the *rear lot line* if the *detached garage* is accessed by a *residential driveway* crossing either the *front lot line* or *exterior side lot line*;
 - iii) it is located no closer than 1.0 m from the *rear lot line* if the *lot* is accessed by a *residential driveway* from a *lane* crossing the *rear lot line*; and
 - iv) the height shall not exceed:
 - A. 3.5 m 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; or
 - B. 4.3 m in the case of a gable, hip, gambrel, or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface.
- c) In addition to the requirements set out in subsection a), a two storey *detached garage* shall be subject to the following:
- i) the *gross floor area* of the *first storey* shall not exceed 10% of the lot area or 110 m², whichever is lesser;

Requirements Specific to *Street Access* and *Lane Access Detached Garages* Containing an *Additional Dwelling Unit*

- ii) it is located no closer than 2.5 m from the *rear lot line* if the *detached garage* is accessed by a *residential driveway* crossing either the *front lot line* or *exterior side lot line*;
- iii) it is located no closer than 1.0 m from the *rear lot line* if the *lot* is accessed by a *residential driveway* from a *lane* crossing the *rear lot line*;
- i) the height shall not exceed:
 - A. 6.0 m 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; or
 - B. 7.0 m in the case of a gable, hip, gambrel, or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof* surface; and,
 - C. Notwithstanding a) and b) above, in no case shall the overall height exceed that of the *principal building*.
- d) In addition to the requirements set out in b) or c), whichever is applicable, *lane access detached garages* shall be subject to the following:
 - i) The required outside *parking spaces* on a *lot* accessed by a *residential driveway* from a *lane* are:
 - A. located parallel to each other, whether in or outside of a *detached garage or carport*, and,
 - B. shall be located no farther than 6.0 m from the *rear lot line*.

8.0 THAT Section 4.2.4 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the phrase “, but excluding those containing an additional dwelling unit,” after the word “carports”.

9.0 THAT Section 4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Section 4.2.5 as follows:

4.2.5 Regulations for Accessory Buildings Containing an Additional Dwelling Unit

In addition to the requirements of Section 4.1, an *accessory building*, excluding a *detached garage*, that contains a permitted *additional dwelling unit* in accordance with Section 4.10, is permitted subject to the following provisions:

- i) the building shall be permitted in a *rear yard* or an *interior side yard*;

- ii) it shall be located no closer to an *exterior side lot line* than permitted for the *principal building*;
- iii) it shall be located no closer than 1.2 m from an *interior side lot line*;
- iv) it shall be located no closer than 1.5 m from a *rear lot line*;
- v) it shall be located no closer than 3.5 m from the *principal building* on the *lot*;
- vi) the *gross floor area* shall not exceed 10% of the *lot area* or 110 m², whichever is less;
- vii) the height shall not exceed:
 - A. 3.5 m 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; or
 - B. 4.3 m in the case of a gable, hip, gambrel, or mansard *roof*, measured from the *established grade* to the uppermost point of the *roof surface*;
- viii) notwithstanding the definition of *Lot Coverage* in Section 3, the *building* shall be included in the *lot coverage* calculation; and,
- ix) roof-top patios shall not be permitted.

10.0 THAT Section 4.3.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing the “.” at the end of subsection ii) with “; and,” and by adding a new subsection iii) as follows:

- iii) Notwithstanding any provisions of Section 4.3.1 to the contrary, *decks* associated with an *accessory building* containing an *additional dwelling unit* are permitted in accordance with the following:
 - a) The platform of the *deck* shall not exceed 0.6 m in *height* and in no case shall be higher than the floor of the *first storey*;
 - b) *Decks* shall be subject to the minimum *setbacks* required for the *accessory building* as set out in subsection 4.2.5 or 4.2.2.2.

11.0 THAT Section 4.4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting “; and” at the end of subsection i), by replacing the “.” at the end of subsection ii) with “; and,” and by adding a new subsection iii) as follows:

iii) Notwithstanding any provisions of Section 4.4 to the contrary, the following provisions shall apply to a *porch/veranda* associated with an *accessory building* containing an *additional dwelling unit*.

- a) Porches/Verandas shall not be located above the floor of the first storey; and,
- b) Porches/verandas shall comply with the minimum setbacks required for the *accessory building* as set out in subsection 4.2.5 or 4.2.2.2.

12.0 THAT Section 4.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the word “and;” at the end of subsection ii), by replacing the “.” at the end of subsection iii) with “; and,” and by adding a new subsection iv) as follows:

iv) Notwithstanding any provisions of Section 4.5 to the contrary, the following provisions shall apply to *balconies* associated with an *accessory building* containing an *additional dwelling unit*.

- a) *Balconies* shall not be permitted on any wall facing an *abutting residential zone*;
- b) Where the side of a *balcony* faces an *abutting residential zone*, a full visual screen with a minimum height of 1.5 m from the platform of the *balcony* shall be provided on that side; and
- c) A *balcony* shall comply with the minimum *setbacks* required for the *accessory building*.

13.0 THAT Section 4.9 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by amending subsection ii) as follows:

- ii) It is attached to the *principal building* or to an *accessory building* containing an *additional dwelling unit*.

14.0 THAT Section 4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting Section 4.10 and replacing it with the following:

4.10 ADDITIONAL DWELLING UNITS

Additional dwelling units shall be permitted in accordance with the following:

- i) *Additional dwelling units* are permitted within the following *buildings* where permitted by this by-law:
 - a) *Detached dwelling*;
 - b) *Semi-detached dwelling*;
 - c) *Semi-link dwelling*;

- d) *Townhouse dwelling*, and,
 - e) *Accessory building* located on the same *lot* as the foregoing;
- ii) A maximum of three (3) *additional dwelling units* are permitted on a *lot*,
 - iii) Not more than one (1) *additional dwelling unit(s)* shall be located in an accessory building on a lot;
 - iv) An *additional dwelling unit* must be served by municipal water and wastewater services;
 - v) *Additional dwelling units* shall not be permitted on lands identified by a *Conservation Authority* as hazard lands or as being within the regulatory flood plain, unless specifically permitted by the *Conservation Authority* having jurisdiction;
 - vi) An unobstructed pedestrian access with a minimum width of 1.2 m and minimum vertical clearance of 2.1 m shall be provided and maintained from the *street line* to the primary entrance of an *additional dwelling unit*,
 - vii) Where one or more *additional dwelling unit(s)* is located within a *principal building*.
 - a) the Floor Area of each *additional dwelling unit* located on the *first storey* or above shall not exceed 85 m²;
 - b) the total Floor Area of all *additional dwelling units* located on the first storey or above, shall not cumulatively exceed a maximum of 50% of the floor area of the *principal dwelling unit*,
 - c) an *additional dwelling unit* that is located in a *basement* may occupy the entire *basement*; and
 - d) notwithstanding any other provision of this by-law to the contrary, for the purposes of this section, Floor Area shall mean the total area of all floors of a dwelling unit, measured from the interior walls, excluding basements, stairs and landings, cold cellars, and unfinished mechanical rooms
 - viii) On a lot containing an *additional dwelling unit* within an *accessory building* in a RMD1 or RMD2 zone, the following minimum *permeable residential landscaping* shall be provided:

Dwelling Type	Minimum Percentage of <i>Lot Area</i>
<i>Detached Dwelling, Semi-Link Dwelling and Semi-Detached Dwelling</i>	35%
<i>Townhouse Dwelling</i>	25%

- ix) In addition to the regulations set out in this section, *accessory buildings* containing an *additional dwelling unit* shall be subject to the regulations of Section 4.2.

15.0 THAT Section 4.19.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows:

A maximum of one *principal* residential *building* is permitted on a *lot*, or on a parcel of tied land in a Common Element condominium or on a unit in a condominium in accordance with the Condominium Act, for the following:

16.0 THAT Section 4.19.5 Table 4H of Comprehensive Zoning By-law 016-2014, as amended is hereby further amended by adding and/or modifying the following in the table:

<i>Structure</i>	<i>Required Setbacks</i>	<i>Maximum Distance</i>
<u>Window Wells</u>	<u>Interior Side Setback,</u> <u>Exterior Side Setback,</u> <u>Rear Setback</u>	<u>0.55 m into required interior side yard, no closer than 1.2 m to an exterior side lot line, and no maximum for rear yard</u>
<i>Stairs, Below Grade Accessing A Principal Building</i>	<i>Rear Setback, Exterior Side Setback</i>	No Maximum for the <i>rear yard</i> and no closer than <u>1.2 m from an exterior side lot line</u>

17.0 THAT Section 4.19.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection iii) and Table 4H(I) as follows:

- iii) Notwithstanding any provision of this by-law to the contrary, no encroachments shall be permitted within the minimum *setbacks* required for an *accessory building* containing an *additional dwelling unit* except in accordance with the following:

TABLE 4H(I)

<i>Structure</i>	<i>Required Setbacks</i>	<i>Maximum Distance</i>
Eaves & Gutters	<i>Rear Setback, Interior Side Setback, Exterior Side Setback, or Setback from Principal Building</i>	0.45m provided that the eaves and gutters are a minimum of 2.0m above <i>grade</i>

- 18.0 THAT Section 4.22.1 of Zoning By-law 016-2014, as amended, is hereby further amended by adding the phrase “or building containing an *additional dwelling unit*” after the phrase “no permanent *building or structure*”;
- 19.0 THAT Section 4.24 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the “.” at the end of subsection ii) and replacing it with “; and,” and by adding a new subsection iii) as follows:
- iii) Notwithstanding any provisions of this by-law to the contrary, on a *lot* containing one or more *additional dwelling unit(s)*, the whole or a portion of only one *dwelling unit* on the *lot* may be used as a *short-term rental*;
- 20.0 THAT Sections 5.1 iv) and vi) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding “exclusive of *additional dwelling units*” after “less than four (4) *dwelling units*” in each subsection;
- 21.0 THAT Section 5.6.2 of Zoning By-law 016-2014, as amended, is hereby further amended by modifying the following provision as follows:
- “Access to residential *dwelling*s containing less than four units, exclusive of *additional dwelling units*, shall be provided by an unobstructed *driveway* in accordance with the following”;
- 22.0 THAT Section Section 5.6.2 of Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection ii) as follows and by renumbering the subsequent subsections and updating any references to those subsections throughout the by-law accordingly:
- ii) Notwithstanding i) above, on lots where one or more additional dwelling unit(s) is located, the minimum size of a required parking space on a *residential driveway* shall be 2.55 m wide by 5.5 m in length;
- 23.0 THAT Section 5.6.2 ix) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the section as follows:
- ix) The following surface areas of a lot shall only be *permeable residential landscaping* ~~a permeable Residential landscaped surface such as grass, trees, shrubs, flowers or other plants, river rock, decorative stone, etc. that permits the infiltration of water into the ground~~, but may include a portion of a retaining wall that is not permeable:
- 24.0 THAT Section 5.6.2 x) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the word “permeable” before the words “residential landscaping”;
- 25.0 THAT Section 5.8.1 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the following rows in Table 5E as follows:

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Dwellings with individual driveway access from a public street</i>	<ul style="list-style-type: none"> • 2 parking spaces per dwelling unit (*2)
Accessory <u>Additional Dwelling Units</u>	<ul style="list-style-type: none"> • 1 parking space per accessory <u>additional</u> dwelling unit
All other <i>dwellings units</i>	<ul style="list-style-type: none"> • 2 parking spaces per dwelling unit (*2) <u>PLUS</u> • 0.25 parking spaces per unit for visitors on a lot with four or more <i>dwellings units</i>

Footnote(s) to TABLE 5E

(*1) For lands within the UGC-MU designation shown to contain a star symbol followed by a number on schedules to this By-law, the special parking provisions in Section 13.1.1 of this By-Law shall only apply where the required parking rate is less than the parking requirements in Table 5E.

(*2) Where one or more additional dwelling unit(s) is located on the lot, a minimum of 1 parking space per dwelling unit shall be provided.

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 on the day of its passing. If the Land Use Planning Appeal Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of the Tribunal’s Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON....., 2024.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

Summary of Draft Zoning Regulations for ADUs

This summary provides an overview of the draft Zoning By-law (ZBL) regulations for additional dwelling units (ADUs). Please refer to the draft Zoning By-law Amendment (Appendix B) for the exact language and definitions being proposed.

General Regulations

Where Permitted	<ul style="list-style-type: none"> • On single-detached, semi-detached, semi-link and townhouse lots • Must have municipal servicing • Not within hazard lands and floodplain, unless permitted by conservation authority
Number of Units	<ul style="list-style-type: none"> • Maximum 3 ADUs on a lot
Parking Spaces	<ul style="list-style-type: none"> • 1 parking space for the principal dwelling unit plus 1 parking space for each ADU • Minimum size of a required parking space on a driveway shall be 2.55 m wide by 5.5 m in length
Fire and Emergency Services Access	<ul style="list-style-type: none"> • An unobstructed access with a minimum width of 1.2 m and minimum vertical clearance of 2.1 m from the street line to the primary entrance of an ADU
Lot Coverage/Permeable Landscaping	<ul style="list-style-type: none"> • For Low Density Residential Zones (RLD & RLD1-7), the existing lot coverage requirements: <ul style="list-style-type: none"> • Lot less than 660 m² - maximum 30% • Lot 660 - 830 m² - maximum 25% • Lot greater than 830 m² - maximum 20% • For Medium Density Residential Zones (RMD1 & RMD2), a lot that is proposing an ADU in an accessory building will be required to provide permeable landscaping: <ul style="list-style-type: none"> • Single-detached, semi-detached & semi-link lots - minimum 35% of the lot • Townhouse lots - minimum 25% of the lot
Other	<ul style="list-style-type: none"> • Only 1 dwelling unit on a lot may be used as a short-term rental

Principal Building containing an ADU(s)

In addition to the general regulations summarized on page 1, the following regulations apply to a principal building containing one or more ADUs.

Number of Units	<ul style="list-style-type: none"> Up to three ADUs permitted within the principal building, including the basement, if the lot has no ADU in an accessory building
Heights	<ul style="list-style-type: none"> The existing height regulations in the ZBL for single-detached, semi-detached, semi-link or townhouse dwellings
Setbacks	<ul style="list-style-type: none"> The existing setback regulations in the ZBL for single-detached, semi-detached, semi-link or townhouse dwellings
Floor Area	<ul style="list-style-type: none"> The floor area of each ADU located on the first storey or above shall not exceed 85 m²; and The total floor area of all ADUs located on the first storey or above, shall not cumulatively exceed a maximum of 50% of the floor area of the principal dwelling unit An ADU in a basement may occupy the entire basement

Accessory Building not including Detached Garage containing an ADU

In addition to the general regulations summarized on page 1, the following regulations apply to an accessory building, but not including a detached garage, containing an ADU.

Where Permitted	<ul style="list-style-type: none"> Rear yard or interior side yard
Number of Units	<ul style="list-style-type: none"> Only 1 ADU is permitted in an accessory building
Heights	<ul style="list-style-type: none"> 3.5 m in the case of a flat roof; or 4.3 m in the case of a gable, hip, gambrel or mansard roof
Setbacks	<ul style="list-style-type: none"> no closer to an exterior side lot line than permitted for the principal building 1.2 m from an interior side lot line 1.5 m from a rear lot line 3.5 m from the principal building

Where Permitted	<ul style="list-style-type: none"> • Rear yard or interior side yard
Floor Area	<ul style="list-style-type: none"> • gross floor area not more than 10% of the lot area or 110 m² , whichever is less

Detached Garage (One-Storey) containing an ADU

In addition to the general provisions summarized on page 1, the following regulations apply to a one-story detached garage containing an ADU.

Where Permitted	<ul style="list-style-type: none"> • Rear yard or interior side yard
Number of Units	<ul style="list-style-type: none"> • Only 1 ADU is permitted in an accessory building
Heights	<ul style="list-style-type: none"> • 3.5 m in the case of a flat roof; or • 4.3 m in the case of a gable, hip, gambrel or mansard roof
Setbacks	<ul style="list-style-type: none"> • no closer to an exterior side lot line than permitted for the principal building • 1.2 m from an interior side lot line • 1.5 m from a rear lot line • 5.5 m from the principal building
Floor Area	<ul style="list-style-type: none"> • floor area of the building not more than 10% of the lot area or 145 m², whichever is less; and • floor area of the ADU shall not exceed the floor area of the principal dwelling unit or 110 m², whichever is less

Detached Garage (Two-Storeys) containing an ADU

In addition to the general provisions summarized on page 1, the following regulations apply to a two-story building containing an ADU located above a detached garage.

Where Permitted	<ul style="list-style-type: none"> • Rear yard or interior side yard
Number of Units	<ul style="list-style-type: none"> • Only 1 ADU is permitted in an accessory building
Heights	<ul style="list-style-type: none"> • 6.0 m in the case of a flat roof; or • 7.0 m in the case of a gable, hip, gambrel or mansard roof
Setbacks	<ul style="list-style-type: none"> • no closer to an exterior side lot line than permitted for the principal building • 1.2 m from an interior side lot line • 2.5 m from a rear lot line • 5.5 m from the principal building
Floor Area	<ul style="list-style-type: none"> • floor area of the first storey of the building not more than 10% of the lot area or 110 m², whichever is less; and • floor area of the ADU shall not exceed the floor area of the principal dwelling unit or 110 m², whichever is less

Summary of Survey Results

ARUs in the Urban Area:

Between March 28, 2023 and October 31, 2023, the survey regarding ARUs in the Urban Area received 375 responses. 86 per cent of respondents were homeowners and 7 per cent were renters, of an urban property in Milton.

A little over half (53 per cent) of survey respondents believe there are significant benefits and opportunities that arise from having ARUs in urban communities:

- Respondents emphasize that ARUs provide multi-generational living options and allow for seniors to downsize and age in place.
- The ability for homeowners to generate income to offset cost of living is one of the top reasons in support of ARUs.
- Respondents also believe that ARUs can improve housing affordability in Milton and increase the Town's rental housing stock.

Of the respondents interested in constructing an ARU(s) on their urban property:

- The top reasons are for earning income by renting out to long-term tenants and providing housing for children, parents or in-laws.
- 51 per cent would like to create one unit in the basement, 31 per cent might want to add two units and 25 per cent might want to build a unit in a detached accessory building.

On the other hand, 45 per cent of respondents have concerns with the potential impact of ARUs in urban communities, which include:

- Parking and fire safety being the top two concerns;
- Impact of increased density within existing neighbourhoods;
- Increase of traffic on roads and strain on community services and facilities (i.e. schools, parks, etc.);
- Concerns relating to building design including height and scale relative to existing buildings; and
- ARUs being utilized for short-term rentals.

56 per cent of respondents answered yes to whether legal ARUs should be listed on a registry on the Town's website, while 17 per cent answered no. The other 27 per cent was unsure or specified another response.

ARUs in the Rural Area:

Between March 28, 2023 and Oct. 31, 2023, the survey regarding ARUs in the Rural Area received 269 responses. 52 per cent of respondents own and live on a property within a hamlet, 30 per cent own and live on a rural residential property not located within a hamlet and 5 per cent own and live on a commercial farm in Milton.

A significant percentage of respondents (67 per cent) would like to add additional units on their rural property. Of the respondents interested in constructing an ARU(s):

- The top reasons are for providing housing for children, parents or in-laws, and allowing seniors to downsize and age in place.
- The majority are interested in constructing one unit within a detached accessory building.

A smaller percentage (23 per cent) of respondents have concerns regarding the potential impacts of permitting ARUs within the rural area. Survey results show:

- The greatest concern is with height and scale of ARUs, while separation from adjacent properties and impact on the character of the rural area are of lesser concern.
- Water and sewage servicing capacity and impact on environmental lands/features are somewhat of a concern.

The majority of respondents are not very concerned about potential impact on farmland and agricultural operations.

The majority of respondents would not want ARUs being utilized for short-term rentals.

37 per cent of respondents answered yes to whether legal ARUs should be listed on a registry on the Town's website, while 19 percent answered no. The other 44 percent was unsure or specified another response.