



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: September 9, 2024

Report No: DS-062-24

Subject: HKA-02-24 Additional Dwelling Units Housing Keeping Amendment
- Public Meeting and Recommendation

Recommendation: **THAT** report DS-062-24 regarding a housekeeping amendment, pertaining to unobstructed pedestrian access to an additional dwelling unit, to Zoning By-law 016-2014 be APPROVED;

AND THAT Council ENACTS the draft housekeeping amendment, attached as Appendix A to Report DS-062-24, to Zoning By-law 016-2014, as amended.

EXECUTIVE SUMMARY

This report recommends approval of a housekeeping amendment to Zoning By-law 016-2014 to provide clarity on which entrance to an additional dwelling unit shall be required to have the unobstructed pedestrian access from the street required by Section 4.10 vi). The revisions proposed through this amendment aim to better implement the intent of the original provision.

REPORT

Background

Council adopted Official Plan and Zoning By-law amendments on June 3rd, 2024, through report [DS-047-24](#), to expand permissions for additional dwelling units in the Town's Urban Area. The amendments came into effect on June 25th, 2024 after no appeals were received during the appeal period.

Discussion

Section 4.10 vi) of Zoning By-law 016-2014, as amended, requires that:



Discussion

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 principal entrance of an *additional dwelling unit*.

The intent of this provision is to allow emergency services personnel to access an additional dwelling unit in an efficient, direct, and timely manner in the event of a fire or emergency.

Since this provision has gone into effect, there have been a number of building permit applications that are indicating that the principal entrance to the existing house will also serve as the principal entrance to the additional dwelling unit, even though there exists, or the applicant plans to add, a side entrance to the house that would provide more direct access to the additional dwelling unit.

To better achieve the intent of the original provision, this housekeeping amendment proposes to revise Section 4.10 vi) to provide clarity on which entrance to an additional dwelling unit shall be required to have the unobstructed pedestrian access from the street.

The revised regulation is proposed as follows:

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 exterior entrance to the *building* that provides the most direct access to an *additional dwelling unit*.

Financial Impact

There are no financial impacts associated with this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact:	Robin Campbell - Manager, Zoning & Property Information	Phone: Ext. 2325
	Wendy Chen - Planner, Policy	Phone: Ext. 2296



Attachments

Appendix A - Draft Housekeeping Amendment

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 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: HKA-02/24)

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 Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

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

1. **THAT** Section 4.10 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying subsection vi) as follows:
 - 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 principal exterior entrance to the building that provides the most direct access to ~~of~~ an *additional dwelling unit*,
2. **THAT** Section 4.10 viii) e) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting the word “principal” from the phrase “used as the principal entrance”.
3. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal’s Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON [DATE]

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid