



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: December 9, 2024

Report No: DS-083-24

Subject: Public Meeting and Initial Report: General Housekeeping Amendments to Comprehensive Zoning By-law 016-2014, as amended. (Town File: HKA-03/24)

Recommendation: THAT Development Services Report DS-083-24 outlining Town initiated housekeeping amendments to Comprehensive Zoning By-law 016-2014, as amended, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The purpose of this housekeeping amendment is to amend various parts of the Town's Urban Zoning By-law (By-law 016-2014, as amended, respectively) for the purpose of updating, clarifying and correcting various provisions and regulations within the by-law.

The proposed Zoning By-law amendments relate to various sections of the by-law including Section 3 (Definitions), Section 4 (General Provisions), Section 5 (Parking), Section 6 (Residential Zones), Section 7 (Commercial Zones), and Section 12 (Future Development Zone). No site specific amendments for specific properties are proposed.

Upon completion of the evaluation of the Town initiated housekeeping amendments a technical report with recommendations will be brought forward for Council consideration.

REPORT

Background

Location: Town-wide urban area.

Proposal: The purpose of this housekeeping amendment is to amend various parts of the Town's Urban Zoning By-law (By-law 016-2014, as amended, respectively) for the purpose of updating, clarifying and correcting various provisions and regulations within the by-law. An

Background

outline of the proposed Zoning By-law amendments and rationale for each change can be found in Appendix 1.

Planning Policy:

The Town of Milton Urban Area is intended to be the focus of urban development in Milton. It encompasses a full range of residential, commercial, employment, institutional and open space land uses. The Planning Act requires that all municipal Zoning By-laws conform to provincial plans and applicable official plans.

Staff has drafted and reviewed the proposed Zoning By-law amendment and is of the opinion that the housekeeping amendment conforms to Provincial Policy, the Halton Region Official Plan and the Town of Milton Official Plan.

Zoning By-law 016-2014, as amended

The Town currently has two Comprehensive Zoning By-laws that regulate land use and development within the Town. Urban Area Zoning By-law 016-2014 and Rural Area Zoning By-law 144-2003 as amended. Currently, there are no comprehensive reviews of these by-laws being undertaken.

In order to ensure that the by-laws are as accurate and up-to-date as possible, staff monitors these by-laws regularly and proposes amendments for Council's consideration, from time to time, to improve, clarify and update existing regulations with the by-laws. Through this report, staff is bringing forward some proposed modifications to the Urban Zoning By-law for public review and comment, for the purposes noted below.

Proposed Amendments

The purpose of this housekeeping amendment is to amend various parts of the Town's Urban Zoning By-law (By-law 016-2014, as amended). No amendments to the Town's Rural Zoning By-law are proposed.

The proposed Zoning By-law Amendments relate to various sections of the by-law including Section 3 (Definitions), Section 4 (General Provisions), Section 5 (Parking), Section 6 (Residential Zones), Section 7 (Commercial Zones), and Section 12 (Future Development Zone). No site specific amendments for specific properties are proposed.

The proposed modifications are summarized below:

Background

To revise the following:

- The definitions of Motor Vehicle Body Shop, Motor Vehicle Dealership, Motor Vehicle Rental Agency, Motor Vehicle Repair Garage, and Motor Vehicle Washing Establishment;
- The minimum parking spaces requirements for parking in the Major Transit Station Area;
- The minimum resident parking and visitor parking rates for apartment buildings;
- The minimum parking requirements for short-term rentals;
- The provisions related to drive through facilities in the Urban Growth Centre/ Major Transit Station Area; and
- The provisions of the Future Development (FD) zone.

To add the following:

- To add amenity space requirements to the Residential/Office (RO) Zone; and
- To permit the encroachment of electric vehicle chargers into parking stalls.

An outline of the proposed Zoning By-law amendments and rationale for each change can be found in Appendix 1.

Discussion

Public Consultation and Review Process

Notice for the statutory public meeting was provided pursuant to the requirements of the Planning Act and the Town of Milton Official Plan through a public notice on the Town's website on November 18, 2024. The proposed housekeeping amendments were circulated to internal and external agencies on November 18, 2024.

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the Town initiated housekeeping amendments.

Financial Impact

None arising from this report.

Respectfully submitted,



Jill Hogan
Commissioner, Development Services

For questions, please contact: Natalie Stopar, Planner Phone: Ext. 2297

Attachments

Appendix 1 - Proposed Housekeeping Amendments and Rationale

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.

PROPOSED HOUSEKEEPING AMENDMENTS

The following table outlines the changes that are proposed in the housekeeping amendments.

BY-LAW 016-2014

Item No.	Section or Schedule	Description of Change in By-law	Rationale																																																																														
1	Section 7.1, (Commercial Zones)	<p>Remove "Drive Through Service Facility" from Table 7A and remove footnote (*5). Renumber Table 7A footnotes accordingly.</p> <table border="1"> <thead> <tr> <th rowspan="3">Permitted Uses</th> <th colspan="4">Central Business District</th> </tr> <tr> <th>CBD-A</th> <th>CBD-B</th> <th>UGC-MU</th> <th>UGC-MU-2</th> </tr> <tr> <th>Core Commercial</th> <th>Secondary Commercial</th> <th>Urban Growth Center – Mixed Use</th> <th>Urban Growth Center – Mixed Use - 2</th> </tr> </thead> <tbody> <tr> <td>Department Store</td> <td></td> <td></td> <td>• (*12)</td> <td></td> </tr> <tr> <td>Drive-Through Service Facility</td> <td></td> <td></td> <td>• (*5)</td> <td>• (*5)</td> </tr> <tr> <td>Dry cleaning depot</td> <td>•</td> <td>•</td> <td>• (*12)</td> <td>•</td> </tr> <tr> <td>Elementary School</td> <td></td> <td></td> <td>•</td> <td></td> </tr> <tr> <td>Fitness Centre</td> <td>•</td> <td>•</td> <td>•</td> <td>•</td> </tr> <tr> <td>Food Bank</td> <td></td> <td></td> <td>•</td> <td>•</td> </tr> <tr> <td>Food Store</td> <td></td> <td></td> <td>• (*12)</td> <td></td> </tr> <tr> <td>Funeral Home</td> <td>•</td> <td>•</td> <td>•</td> <td></td> </tr> <tr> <td>Home Day Care</td> <td></td> <td></td> <td>•</td> <td></td> </tr> <tr> <td>Home Occupation</td> <td></td> <td></td> <td>•</td> <td></td> </tr> <tr> <td>Hospital, Public or Private</td> <td></td> <td></td> <td>•</td> <td></td> </tr> <tr> <td>Hotel</td> <td>• (*6)(*3)</td> <td>• (*6)(*3)</td> <td>• (*6)</td> <td></td> </tr> <tr> <td>Laundromat</td> <td>•</td> <td>•</td> <td>•</td> <td>•</td> </tr> </tbody> </table> <p>(*5) Drive-Through Service Facilities are only permitted within the C1-C, C1-E, and C1-F Zones in Zoning By-law 144-2003, as amended, until such time as the OMB appeals (Case No. PL140294) are resolved or withdrawn.</p>	Permitted Uses	Central Business District				CBD-A	CBD-B	UGC-MU	UGC-MU-2	Core Commercial	Secondary Commercial	Urban Growth Center – Mixed Use	Urban Growth Center – Mixed Use - 2	Department Store			• (*12)		Drive-Through Service Facility			• (*5)	• (*5)	Dry cleaning depot	•	•	• (*12)	•	Elementary School			•		Fitness Centre	•	•	•	•	Food Bank			•	•	Food Store			• (*12)		Funeral Home	•	•	•		Home Day Care			•		Home Occupation			•		Hospital, Public or Private			•		Hotel	• (*6)(*3)	• (*6)(*3)	• (*6)		Laundromat	•	•	•	•	Appeals to the Ontario land Tribunal (previously the Ontario Municipal Board) have been resolved.
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2	Section 5.5 (Parking in the Central Business District)	<p>Add section 5.5.2:</p> <p>5.5.2 Parking in the Major Transit Station Area</p> <p>Notwithstanding any provisions of this by-law to the contrary, for all lands identified as Milton GO MTSA/Downtown Milton UGC on Schedule E1 to this by-law, the following parking provisions shall apply:</p> <ol style="list-style-type: none"> i) A surface <i>parking area</i> at grade is not permitted to occupy more than 20% of the <i>lot area</i>; ii) Visitor <i>parking</i> associated with a residential <i>use</i>, and client <i>parking</i> associated with a permitted non-residential <i>use</i>, may be provided in any combination of a <i>parking structure</i> and a <i>parking area</i> and may be used for any combination of residential and permitted non-residential <i>uses</i>; iii) No part of a <i>parking area</i> or <i>parking structure</i> is permitted within a <i>front yard</i> or an <i>exterior side yard</i>; iv) Notwithstanding Section 5.1 iv), a parking stacker system shall be permitted in a <i>parking structure</i> and required <i>parking</i> may be provided by means of a parking stacker system. When <i>parking</i> is provided by means of a parking stacker system, the minimum <i>parking stall size</i> shall be 2.75 metres in width and 5.8 metres in length (mechanisms and equipment associated with the parking 	<p>As a result of changes to the Planning Act, the Town can no longer require minimum parking rates in MTSA.</p> <p>The amendment removed the minimum parking rates from the MTSA and ensures that a proportion of the provided parking spaces are designated for accessible</p>																																																																														

		<p>stacker are permitted within the minimum <i>parking</i> stall dimensions), except that the lower <i>parking</i> stall and the elevated platform above such <i>parking space</i> may have dimensions of not less than 2.4 metres by 5.0 metres unobstructed;</p> <p>v) Notwithstanding Section 5.1 ix), <i>loading spaces</i> and/or areas may be provided inside of a <i>building</i>;</p> <p>vi) Notwithstanding Section 5.14, a <i>parking</i> structure that projects above <i>established grade</i> is not permitted within the first 9.0 metres of the depth of the <i>building</i> measured horizontally from the <i>main wall</i> facing a <i>street</i>, and the first 4.5 metres of <i>height</i> of the <i>building</i> measured vertically from the top of the floor of the <i>first storey</i> to the top of the floor of the second <i>storey</i> within that depth.</p> <p>vii) Notwithstanding anything to the contrary, no minimum vehicle parking rates shall apply for lands located in the Milton GO MTSA/Downtown UGC as identified on Schedule E1 to this by-law.</p> <p>viii) Notwithstanding vii) above, where parking spaces are provided, a percentage of provided parking spaces must be allocated to accessible parking spaces, visitor parking spaces, and EV parking spaces as follows:</p> <ol style="list-style-type: none"> a. Visitor parking spaces shall be provided at a rate of 17% of the provided parking spaces provided. b. Accessible parking spaces shall be calculated in accordance with Table 5H based on the number of parking spaces required. c. EV charging stations shall be calculated in accordance with Table 5O based on the number of parking spaces provided. <p>ix) For lands with a UGC-MU or UGC-MU-2 zone designation that is shown to contain a star symbol followed by a number on schedules to this By-law, the minimum required parking rates shall not apply.</p>	<p>parking, visitor parking and electric vehicle parking.</p>				
<p>3</p>	<p>Section 5.8.1, Table 5E (Residential Parking Requirements)</p>	<p>Reduce apartment buildings and visitor parking rates in Table 5E as follows:</p> <table border="1" data-bbox="402 1528 1304 1860"> <tr> <td data-bbox="402 1528 737 1703"> <p><i>Apartment Buildings</i></p> </td> <td data-bbox="737 1528 1304 1703"> <ul style="list-style-type: none"> • 1.5 1.0 <i>parking spaces</i> per unit PLUS • 0.25 0.20 <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>. </td> </tr> <tr> <td data-bbox="402 1703 737 1860"> <p><i>All other dwellings units</i></p> </td> <td data-bbox="737 1703 1304 1860"> <ul style="list-style-type: none"> • 2 <i>parking spaces</i> per dwelling unit PLUS • 0.25 0.20 <i>parking spaces</i> per unit for visitors on a lot with four or more <i>dwelling units</i> </td> </tr> </table>	<p><i>Apartment Buildings</i></p>	<ul style="list-style-type: none"> • 1.5 1.0 <i>parking spaces</i> per unit PLUS • 0.25 0.20 <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>. 	<p><i>All other dwellings units</i></p>	<ul style="list-style-type: none"> • 2 <i>parking spaces</i> per dwelling unit PLUS • 0.25 0.20 <i>parking spaces</i> per unit for visitors on a lot with four or more <i>dwelling units</i> 	<p>To reduce the residential parking rates in accordance with current best practices and most recent Milton transportation studies.</p>
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<p>4</p>	<p>Section 3 Definitions (various Motor</p>	<p>Modify the following Motor Vehicle Definitions as follows:</p>	<p>To clarify that motor vehicle uses require a</p>				

	<p>Vehicle Definitions)</p>	<p>MOTOR VEHICLE BODY SHOP Means a <i>premises building</i> used for the painting or repairing of <i>motor vehicle</i> bodies, exterior and under-carriage, and in conjunction with which there may be a towing service, and may include the temporary parking of motor vehicles in the process of service.</p> <p>MOTOR VEHICLE DEALERSHIP Means a <i>premises building</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale or lease and which may operate in conjunction with a <i>motor vehicle repair garage</i>, and may include the outdoor display and sale of inventory motor vehicles on the same lot.</p> <p>MOTOR VEHICLE RENTAL AGENCY Means a <i>premises building</i> where <i>motor vehicles</i> are kept for rent under agreement for compensation, and may include the outdoor storage of motor vehicles available for rent.</p> <p>MOTOR VEHICLE REPAIR GARAGE Means a <i>premises building</i> used to conduct major and minor mechanical repairs of <i>motor vehicles</i> and includes such businesses as alignment, muffler, rust proofing, oil, lube and filter, auto glass, tire and radiator shops and in conjunction with which there may be such <i>accessory uses</i> as a towing service, and <i>motor vehicle</i> rentals, and may include the temporary parking of motor vehicles in the process of repair.</p> <p>MOTOR VEHICLE WASHING ESTABLISHMENT Means a <i>premises building</i> used for the operation of <i>motor vehicle</i> washing equipment and may include the use of production line methods and mechanical devices or self-serve coin-operated facilities, but does not include any other <i>motor vehicle</i> establishment defined in this By-law, and may include the temporary parking of motor vehicles waiting for service.</p>	<p>permanent building on the lot.</p>
<p>5</p>	<p>Section 6.1, Table 6A (RO Zone Standards)</p>	<p>Add a footnote (*4) to the Apartment Building permitted use in Table 6A under the RO Zone, to require a minimum amenity space requirement.</p> <p>Add the following section, (*4) to the footnote(s) for Table 6A (*4) A minimum of 4 m2 per dwelling unit of outdoor communal amenity space shall be provided at grade and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal amenity space shall be aggregated into areas of not less than 50 m2 and have a minimum width of 6.0 metre.</p>	<p>Requires a minimum amenity area for apartment buildings in the RO zone to ensure consistency with other zones.</p>
<p>6</p>	<p>Section 12 (Future Development Zone)</p>	<p>Modify the Future Development Zone as follows:</p> <p>Modify Section 12.1 Permitted Uses to add the following text:</p> <p>Only uses that legally existed on the date this By-law came into effect are permitted. The development of new <i>buildings</i> and <i>structures</i> are not permitted, however, additions to existing <i>buildings</i>, and <i>structures</i> are permitted <i>subject to the zone standards below</i>. Furthermore, <i>accessory buildings</i> within the Future Development Zone are permitted and shall be subject to the provisions of Section 4.2.1 Regulations for Residential <i>Accessory Buildings</i> and <i>Structures</i> and Section 4.2.2 Regulations for Attached and Detached Accessory Garages and Carports.</p>	<p>To limit the size of additions to existing buildings in the FD zone, and to clarify that lot areas and lot frontages can be adjusted through a draft plan of</p>

Modify Table 12A to the following:

TABLE 12A

Regulations	FD
	Future Development
<i>Lot Frontage</i> (Minimum)	as existing
<i>Lot Area</i> (Minimum)	as existing
<i>Lot Coverage</i> (Maximum)	N/A
Setbacks (Minimum)	
<i>Front Yard</i>	4.0m
<i>Interior Side Yard</i>	1.2m
<i>Exterior Side Yard</i>	4.0m
<i>Rear Yard</i>	7.5m
Building Height (Maximum)	2 storeys

Add the following text to the zone:

- 12.2.1 Additions to an existing principle residential building shall only be permitted up to a maximum of 10% of the gross floor area of the existing building.
- 12.2.2 For the purposes of this zone, “Existing Building” means the gross floor area of the principal residential building that existed as of January 1, 2025.
- 12.2.3 Notwithstanding section 12.2.2, any portion of the Existing Building that is demolished or removed, shall not be included in the existing building gross floor area calculation.
- 12.2.4 Notwithstanding subsection 12.2.3, an Existing Building may be repaired or strengthened provided that the repair and strengthening does not increase the total building gross floor area.
- 12.2.5 Notwithstanding any provisions of this by-law to the contrary, where the lot area and/or lot frontage is modified through a Draft Plan of Subdivision approval, the lot area and lot frontage is deemed to comply.

subdivision application.

7 Section 5 Subsection 5.8.1 i) Table 5E

Add the following footnote (*3) to the Short-Term Rental Parking Rate:

<i>Short-Term Rental</i>	<ul style="list-style-type: none"> • 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3)
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(*3) An additional parking space shall not be required for a short-term rental where the short-term rental occupies the entire dwelling unit.

To clarify that an additional parking space is not required for a short term rental that occupies the entirety of a dwelling unit.

8 Section 4.24 (Short-Term Rentals)

Delete subsection ii)

~~ii) A minimum of 1 parking space per short-term rental is provided in addition to the required parking for the main dwelling unit.~~

and replace with the following:

ii) Parking for a short-term rental shall be provided in accordance with Table 5E.

To clarify that parking must be provided in accordance with Table 5E.

9 Section 5

Add Section 5.20 ELECTRIC VEHICLE CHARGING EQUIPMENT

To permit the encroachment of electric

	(Parking and Loading Provisions)	<p>5.20 ELECTRIC VEHICLE CHARGING EQUIPMENT</p> <p>Equipment for the charging of an electric vehicle is permitted within a parking space provided that the charging equipment is located in the same parking space as the vehicle to be charged and:</p> <ul style="list-style-type: none">i) It is located within 0.30 metres of the corner of the parking space at the furthest end from the drive aisle from which vehicle access is provided, measured at right angles; orii) It is located a minimum of 5.5 metres from the drive aisle from which vehicle access is provided, measured at right angles, and is a minimum of 1.0 metres from the ground.	vehicle charging equipment into parking stalls.
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