



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: January 27, 2025

Report No: DS-006-25

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

**Recommendation:** **THAT** Staff Report DS-006-25 outlining the Town initiated housekeeping amendments to Comprehensive Zoning By-law 016-2014, as amended, **BE APPROVED**;

**AND THAT** staff be authorized to bring forward an amending Zoning By-law in accordance with the draft By-law Attached as Appendix 1 to Report DS-006-25 for Council adoption.

## 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.

## Conclusions and Recommendations

All internal Town of Milton departments and responding external agencies have provided correspondence to Town Planning Staff indicating that they had no concerns with the amendments as currently presented. Staff is satisfied that the proposed housekeeping amendment conforms to Provincial, Regional and Town planning policies, and aligns with current best practices. Therefore, staff recommends approval of the proposed Zoning By-law Amendment as presented through this report.

## 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.

#### **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 Housekeeping 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 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. The subject housekeeping amendment only proposes revisions to the Town's Urban Zoning By-law 016-2014.

#### **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.

## Background

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:

### 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. A copy of the Zoning By-law Amendment can be found in Appendix 2.

## Discussion

### Provincial Policy Statement

On August 20, 2024, the Province of Ontario released the new Provincial Planning Statement (2024) ('PPS') and announced that the PPS would come into effect on October 20, 2024. The new PPS replaces the Provincial Policy Statement, 2020, as well as A Place of Growth: Growth Plan for the Greater Golden Horseshoe and consolidates both of these previous land use policy documents into one PPS.

## **Discussion**

### **Halton Region Official Plan**

As of July 1, 2024, Halton Region has become an upper-tier municipality without planning responsibilities, however the Halton Region Official Plan ('ROP') remains in-effect and the local municipalities are responsible for administering the plan until such time that it is revoked or amended by the respective municipality.

The subject lands are designated Urban Area on Map 1: Regional Structure of the Halton Region Official Plan. All development is subject to the policies of the ROP. Section 76 of the ROP states that the permitted uses in the Urban Area are to be in accordance with a Local Official Plan and Zoning By-law.

### **Town of Milton Official Plan**

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.

### **Public Consultation and Review Process**

A Statutory Public meeting was held on December 9, 2024. Notice for the statutory public 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 and no internal or external agencies had concerns with the amendments.

Staff did not receive any written or oral comments from the public on the proposed amendments. At the statutory public meeting, some Council members had clarification questions and expressed concerns regarding the reduction to the parking rates.

Since the statutory public meeting, minor modifications to the draft Zoning By-law provisions have been made based on further review and internal discussions with staff.

### **Issue of Concern -Parking**

The housekeeping amendment proposes the following changes to existing parking rates in the Town's Urban Zoning By-law:

## **Discussion**

### Item No. 2: Parking in the Major Transit Station Area

As a result of recent changes to the Planning Act, the Town can no longer require minimum parking rates within the Major Transit Station Area.

The proposed Zoning By-law amendment would remove the minimum parking rates in the Major Transit Station Area in accordance with the Planning Act. Where parking spaces are provided however, this amendment would require that a proportion of the provided parking spaces be designated for accessible parking spaces, visitor parking spaces, and EV parking spaces.

### Item No. 3: Parking for Apartment Buildings and Visitor Parking

The Zoning By-law currently requires apartment buildings to provide 1.5 resident parking spaces per unit and 0.25 visitor parking spaces per unit. The proposed housekeeping amendment would reduce the minimum required parking spaces to 1.0 resident parking spaces per unit and 0.25 visitor parking spaces per unit.

This amendment is being sought to align the apartment building resident parking rate and visitor parking rate with the parking rates approved by Council for multiple apartment building developments within the Town of Milton and with current best practices.

The Town has approved multiple apartment building developments, which have reduced the parking rate outside of the Major Transit Station Area to a similar parking rate. Each of these previously approved site specific Zoning By-law Amendments were accompanied by detailed transportation impact and parking justification studies which demonstrated that this parking rate was appropriate for the proposed development and for the Town of Milton. Additionally, on many occasions these transportation impact and parking justification studies were peer reviewed by third party consultants on behalf of the Town.

### Item No. 7: Parking for Short Term Rentals

The proposed Zoning By-law Amendment would clarify that an additional parking space is not required for a short-term rental that occupies the entirety of a dwelling unit. The amendment would still require that an additional parking space be provided where a short term rental only occupies a portion of the dwelling unit, such as one bedroom within the dwelling unit.

## Discussion

At the Statutory Public Meeting, Milton Council had questions about the impact of the proposed housekeeping amendments on existing parking issues in the Town. In particular, Council highlighted that the Town has approved a Transitional Neighbourhood Parking Strategy which would establish a one year pilot program to permit overnight permit parking

## Discussion

within designated municipal parks throughout the community, as an opportunity to assist with on-street parking needs in the community.

Planning staff note that the neighbourhood parking strategy is primarily aimed at addressing on-street parking related issues. The staff report CORS-028-24 states that the pilot program is a transitional program and longer-term recommendations will be developed through the Milton Transit Five-Year Service Plan and Master Plan Update and the Milton Transportation Master Plan.

Through the evaluation of apartment building development applications, Town staff review the proposed parking rates to ensure that sufficient parking is provided on private property to accommodate the proposed development. The minimum parking rates are evaluated based on a variety of factors including, on-site surveys which observe the parking demand of existing apartment buildings. The Town ensures that a variety of proxy sites are surveyed within the Town of Milton, and outside of the Town of Milton with a similar site context.

Furthermore, Council has on multiple occasions approved site specific Zoning By-law amendments to permit parking rates similar to what is being proposed. The subject housekeeping amendment is in keeping with these site specific amendments. Each of these developments also provided transportation impact and parking justification studies which demonstrated that the parking rates proposed were appropriate. Lastly, staff note that many of the transportation impact and parking justification studies have been peer reviewed by a third party external consultant on behalf of the Town.

Lastly, Town of Milton Transportation Planning staff have reviewed the proposed parking reductions and are supportive of the modifications to the Zoning By-law. In particular, Transportation Planning staff have noted that the reduction to the apartment building parking rates are in line with the parking rate reductions supported for multiple Zoning By-law Amendment applications within the Town of Milton and in adjacent municipalities. These previous Zoning By-law amendments have been supported through detailed transportation impact and parking justification studies reviewed by the Town and additionally through an external peer reviewer retained by the Town.

## Conclusion and Recommendation

Town Planning Staff are satisfied that the proposed housekeeping amendments conform to Provincial, Regional and Town planning policies, and align with current best practices. Therefore, staff recommends approval of the proposed Zoning By-law Amendment as presented through this report.



### Financial Impact

None arising from this report.

Respectfully submitted,

Jill Hogan  
Commissioner, Development Services

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

### Attachments

Appendix 1 -Proposed Housekeeping Amendments and Rationale

Appendix 2 -Draft Zoning By-law 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.

# 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><del>Drive-Through Service Facility</del></td> <td></td> <td></td> <td><del>• (*5)</del></td> <td><del>• (*5)</del></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><del>(*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.</del></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)		<del>Drive-Through Service Facility</del>			<del>• (*5)</del>	<del>• (*5)</del>	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><b>5.5.2 Parking in the Major Transit Station Area</b></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"> <li>i) A surface <i>parking area</i> at grade is not permitted to occupy more than 20% of the <i>lot area</i>;</li> <li>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>;</li> <li>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>;</li> <li>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</li> </ol>	As a result of changes to the Planning Act, the Town can no longer require minimum parking rates in MTSA.  The amendment removes the minimum parking rates from the MTSA and ensures that a proportion of the parking spaces provided are designated for accessible																																																																														



		<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 area 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"> <li>a. Visitor parking spaces shall be provided at a rate of 17% of the parking spaces provided.</li> <li>b. Accessible parking spaces shall be calculated in accordance with Table 5H based on the number of parking spaces provided.</li> <li>c. EV charging stations shall be calculated in accordance with Table 5O based on the number of parking spaces provided.</li> </ol> <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 1562 1304 1892"> <tr> <td data-bbox="402 1562 737 1738"> <p><i>Apartment Buildings</i></p> </td> <td data-bbox="737 1562 1304 1738"> <ul style="list-style-type: none"> <li>• <del>4-5</del> <b>1.0</b> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <b>0.20</b> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul> </td> </tr> <tr> <td data-bbox="402 1738 737 1892"> <p><i>All other dwellings units</i></p> </td> <td data-bbox="737 1738 1304 1892"> <ul style="list-style-type: none"> <li>• <b>2</b> <i>parking spaces</i> per dwelling unit <b>PLUS</b></li> <li>• <del>0.25</del> <b>0.20</b> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwellings units</i></li> </ul> </td> </tr> </table>	<p><i>Apartment Buildings</i></p>	<ul style="list-style-type: none"> <li>• <del>4-5</del> <b>1.0</b> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <b>0.20</b> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul>	<p><i>All other dwellings units</i></p>	<ul style="list-style-type: none"> <li>• <b>2</b> <i>parking spaces</i> per dwelling unit <b>PLUS</b></li> <li>• <del>0.25</del> <b>0.20</b> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwellings units</i></li> </ul>	<p>To reduce the residential parking rates in accordance with current best practices and most recent transportation impact studies completed for development</p>
<p><i>Apartment Buildings</i></p>	<ul style="list-style-type: none"> <li>• <del>4-5</del> <b>1.0</b> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <b>0.20</b> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul>						
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			applications in Milton.
4	Section 3 Definitions (various Motor Vehicle Definitions)	<p>Modify the following Motor Vehicle Definitions as follows:</p> <p><b>MOTOR VEHICLE BODY SHOP</b> 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><b>MOTOR VEHICLE DEALERSHIP</b> 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 of inventory motor vehicles on the same lot.</p> <p><b>MOTOR VEHICLE RENTAL AGENCY</b> 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><b>MOTOR VEHICLE REPAIR GARAGE</b> 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><b>MOTOR VEHICLE WASHING ESTABLISHMENT</b> 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>	To clarify that motor vehicle uses require a permanent building on the lot.
5	Section 6.1, Table 6A (RO Zone Standards)	<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>	Requires a minimum amenity area for apartment buildings in the RO zone to ensure consistency with other zones.
6	Section 12 (Future Development Zone)	<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> <del>are</del> is 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</p>	To limit the size of additions to existing buildings in the FD zone, and to clarify that lot areas and lot frontages can

Accessory Buildings and Structures and Section 4.2.2 Regulations for Attached and Detached Accessory Garages and Carports.

be adjusted through a draft plan of subdivision application.

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
<del><i>Lot Coverage</i> (Maximum)</del>	<del>N/A</del>
<i>Setbacks</i> (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
<del><i>Building Height</i> (Maximum)</del>	<del>2 storeys</del>

Add the following text to the zone:

- 12.2.1 Additions to a legally existing residential *principal building* shall only be permitted up to a maximum of 10% of the *gross floor area* of the existing *building*.
- 12.2.2 Notwithstanding Section 12.2.1 to the contrary, a legally existing residential *principal building* may be replaced provided that the gross floor area does not exceed the gross floor area of the existing *building* plus 10% and that the existing foundation remains.
- 12.2.3 For the purposes of this zone, "Existing Building" means the residential *principal building* and its *gross floor area* that existed on January 1, 2025 and *Gross Floor Area* shall include attached garages.
- 12.2.4 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.

7 Section 5 Subsection 5.8.1 i) Table 5E

Add the following footnote (\*3) to the Short-Term Rental Parking Rate in Table 5E:

<i>Short-Term Rental</i>	<ul style="list-style-type: none"> <li>• 1 <i>parking space</i> per <i>short-term rental</i> in addition to the required parking for the main <i>dwelling unit</i>. (*3)</li> </ul>
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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) in Section 4.24

~~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><b>5.20 ELECTRIC VEHICLE CHARGING EQUIPMENT</b></p> <p>Equipment for the charging of an electric vehicle is permitted to encroach 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"> <li>i) It is located within 0.50 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; or</li> <li>ii) It is setback a minimum of 5.3 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.</li> <li>iii) Equipment for the charging of an electric vehicle shall not encroach into a required landscape buffer or loading space and shall not obstruct pedestrian walkways or vehicular traffic.</li> </ul>	vehicle charging equipment into parking stalls.
10	Section 1- Interpretation and Administration	<p>Amend Section 1.11.3iii) as follows:</p> <ul style="list-style-type: none"> <li>iii) Nothing in this By-law shall prevent the issuance of a <i>building</i> permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, <del>or</del> 050-2024 <u>or XXX-2025</u>, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, <del>or</del> 050-2024 <u>or XXX-2025</u>, as applicable, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.</li> </ul>	To revise the transition provisions to permit filed building permit applications with a related approved minor variance application to proceed under the previous provisions.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

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 TO ALL LANDS WITHIN THE URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: HKA-03/24

**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** the text of the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows:

The following table outlines the changes that are included in this zoning by-law amendment. Text that is underlined indicates new text to be inserted in the By-law. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the By-law.

Item No.	Description of Changes to By-law
1	Remove “Drive Through Service Facility” from Table 7A and remove footnote (*5). Renumber Table 7A footnotes accordingly.

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	•	•	•	•
Library			•	•
Long-Term Care Facility			•	
Medical Clinic	•	•	•	•
Mixed Use Building			• (*9)(*11)(*13)	
Night Club			• (*4)(*6)	• (*4)(*6)

(\*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.

2 Add section 5.5.2:

**5.5.2 Parking in the Major Transit Station Area**

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:

- i) A surface parking area at grade is not permitted to occupy more than 20% of the lot area;
- ii) Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and a parking area and may be used for any combination of residential and permitted non-residential uses;
- iii) No part of a parking area or parking structure is permitted within a front yard or an exterior side yard;
- iv) Notwithstanding Section 5.1 iv), a parking stacker system shall be permitted in a parking structure and required parking may be provided by means of a parking stacker system. When parking is provided by means of a parking stacker system, the minimum parking stall size shall be 2.75 metres in width and 5.8 metres in length (mechanisms and equipment associated with the parking stacker are permitted within the minimum parking stall dimensions), except that the lower parking stall and the

	<p><u>elevated platform above such <i>parking space</i> may have dimensions of not less than 2.4 metres by 5.0 metres unobstructed;</u></p> <p>v) <u>Notwithstanding Section 5.1 ix), <i>loading spaces</i> and/or areas may be provided inside of a <i>building</i>;</u></p> <p>vi) <u>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.</u></p> <p>vii) <u>Notwithstanding anything to the contrary, no minimum vehicle parking rates shall apply for lands located in the Milton GO MTSA/Downtown UGC area as identified on Schedule E1 to this by-law.</u></p> <p>viii) <u>Notwithstanding vii) above, where <i>parking spaces</i> are provided, a percentage of provided <i>parking spaces</i> must be allocated to accessible parking spaces, visitor parking spaces, and EV parking spaces as follows:</u></p> <p>a. <u>Visitor parking spaces shall be provided at a rate of 17% of the parking spaces provided.</u></p> <p>b. <u>Accessible parking spaces shall be calculated in accordance with Table 5H based on the number of parking spaces provided.</u></p> <p>c. <u>EV charging stations shall be calculated in accordance with Table 5O based on the number of parking spaces provided.</u></p> <p>ix) <u>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.</u></p>				
3	<p>Reduce apartment buildings and visitor parking rates in Table 5E as follows:</p> <table border="1" data-bbox="365 1512 1372 1879"> <tr> <td data-bbox="365 1512 738 1711"><i>Apartment Buildings</i></td> <td data-bbox="738 1512 1372 1711"> <ul style="list-style-type: none"> <li>• <del>4.5</del> <u>1.0</u> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul> </td> </tr> <tr> <td data-bbox="365 1711 738 1879"><i>All other dwellings units</i></td> <td data-bbox="738 1711 1372 1879"> <ul style="list-style-type: none"> <li>• <i>2 parking spaces</i> per dwelling unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i></li> </ul> </td> </tr> </table>	<i>Apartment Buildings</i>	<ul style="list-style-type: none"> <li>• <del>4.5</del> <u>1.0</u> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul>	<i>All other dwellings units</i>	<ul style="list-style-type: none"> <li>• <i>2 parking spaces</i> per dwelling unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i></li> </ul>
<i>Apartment Buildings</i>	<ul style="list-style-type: none"> <li>• <del>4.5</del> <u>1.0</u> <i>parking spaces</i> per unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>.</li> </ul>				
<i>All other dwellings units</i>	<ul style="list-style-type: none"> <li>• <i>2 parking spaces</i> per dwelling unit <b>PLUS</b></li> <li>• <del>0.25</del> <u>0.20</u> <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i></li> </ul>				

4	<p>Modify the following Motor Vehicle Definitions as follows:</p> <p><b>MOTOR VEHICLE BODY SHOP</b>  Means a <del>premises</del> <u>building</u> 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, <u>and may include the temporary parking of motor vehicles in the process of service.</u></p> <p><b>MOTOR VEHICLE DEALERSHIP</b>  Means a <del>premises</del> <u>building</u> 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>, <u>and may include the outdoor display of inventory motor vehicles on the same lot.</u></p> <p><b>MOTOR VEHICLE RENTAL AGENCY</b>  Means a <del>premises</del> <u>building</u> where <i>motor vehicles</i> are kept for rent under agreement for compensation, <u>and may include the outdoor storage of motor vehicles available for rent.</u></p> <p><b>MOTOR VEHICLE REPAIR GARAGE</b>  Means a <del>premises</del> <u>building</u> 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, <u>and may include the temporary parking of motor vehicles in the process of repair.</u></p> <p><b>MOTOR VEHICLE WASHING ESTABLISHMENT</b>  Means a <del>premises</del> <u>building</u> used for the operation of <i>motor vehicle</i> washing equipment and may include the <i>use</i> 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, <u>and may include the temporary parking of motor vehicles waiting for service.</u></p>
5	<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) <u>A minimum of 4 m<sup>2</sup> 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 m<sup>2</sup> and have a minimum width of 6.0 metre.</u></p>



6 Modify the Future Development Zone as follows:

Modify Section 12.1 Permitted Uses to add the following text:

Only *uses* that legally existed on the date this By-law came into effect are permitted. The development of new *buildings* and *structures* is not permitted, however, additions to existing *buildings* and *structures* are permitted subject to the zone standards below. Furthermore, *accessory buildings* within the Future Development Zone are permitted and shall be subject to the provisions of Section 4.2.1 Regulations for Residential *Accessory Buildings* and *Structures* and Section 4.2.2 Regulations for Attached and Detached Accessory Garages and Carports.

Modify Table 12A to the following:

TABLE 12A

Regulations	FD
	Future Development
<b>Lot Frontage</b> (Minimum)	as existing
<b>Lot Area</b> (Minimum)	as existing
<b>Lot Coverage</b> (Maximum)	N/A
<b>Setbacks</b> (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
<b>Building Height</b> (Maximum)	<u>2 storeys</u>

Add the following text to the zone:

12.2.1 Additions to a legally existing residential *principal building* shall only be permitted up to a maximum of 10% of the *gross floor area* of the existing *building*.

12.2.2 Notwithstanding Section 12.2.1 to the contrary, a legally existing residential *principal building* may be replaced provided that the *gross floor area* does not exceed the *gross floor area* of the existing *building* plus 10% and that the existing foundation remains.

12.2.3 For the purposes of this zone, “Existing Building” means the residential *principal building* and its *gross floor area* that existed on January 1, 2025 and *Gross Floor Area* shall include attached garages.

12.2.4 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.

7	<p>Add the following footnote (*3) to the Short-Term Rental Parking Rate in Table 5E:</p> <table border="1" data-bbox="375 296 1365 390"> <tr> <td data-bbox="375 296 740 390"><i>Short-Term Rental</i></td> <td data-bbox="740 296 1365 390"> <ul style="list-style-type: none"> <li>• 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3)</li> </ul> </td> </tr> </table> <p>(*3) <u>An additional parking space shall not be required for a short-term rental where the short-term rental occupies the entire dwelling unit.</u></p>	<i>Short-Term Rental</i>	<ul style="list-style-type: none"> <li>• 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3)</li> </ul>
<i>Short-Term Rental</i>	<ul style="list-style-type: none"> <li>• 1 parking space per short-term rental in addition to the required parking for the main dwelling unit. (*3)</li> </ul>		
8	<p>Delete subsection ii) in Section 4.24</p> <p><del>ii) A minimum of 1 parking space per short-term rental is provided in addition to the required parking for the main dwelling unit.</del></p> <p>and replace with the following:</p> <p>ii) <u>Parking for a short-term rental shall be provided in accordance with Table 5E.</u></p>		
9	<p>Add Section 5.20 ELECTRIC VEHICLE CHARGING EQUIPMENT</p> <p><b>5.20 <u>ELECTRIC VEHICLE CHARGING EQUIPMENT</u></b></p> <p><u>Equipment for the charging of an electric vehicle is permitted to encroach within a parking space provided that the charging equipment is located in the same parking space as the vehicle to be charged and provided it complies with the following:</u></p> <ul style="list-style-type: none"> <li>i) <u>Where the EV charging equipment is mounted on a pedestal, it shall be located within 0.50 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;</u></li> <li>ii) <u>Where the EV charging equipment is mounted on a wall, it shall be setback a minimum of 5.3 metres from the drive aisle from which vehicle access is provided, measured at right angles, and be mounted a minimum of 1.0 metres from the ground; and,</u></li> <li>iii) <u>Equipment for the charging of an electric vehicle shall not encroach into a required landscape buffer or loading space and shall not obstruct pedestrian walkways or vehicular traffic.</u></li> </ul>		

<b>10</b>	<p>Amend Section 1.11.3iii) as follows:</p> <p style="margin-left: 40px;">iii) Nothing in this By-law shall prevent the issuance of a <i>building</i> permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, <del>050-2024</del> or <u>XXX-2025</u>, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, 007-2022, <del>050-2024</del> or <u>XXX-2025</u>, as applicable, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.</p>
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2. 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 JANUARY 27, 2025.**

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

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