



The Corporation of the Town of Milton

Report To: Council

From: Meaghen Reid, Director, Legislative & Legal Services/Town Clerk
Peter Gatto, Fire Chief

Date: March 17, 2025

Report No: CORS-004-25

Subject: Additional Residential Unit (ARU) Registry By-law and the Numbering of Properties & Buildings By-law. These by-laws are being recommended to support life safety in ARUs and to help manage the impacts of ARUs on the community.

Recommendation: **THAT** the necessary by-laws, included on the March 17, 2025 Council meeting agenda, be considered for approval, with an enactment date of April 1, 2025;

THAT a new user fee of \$340.00, before taxes, be introduced effective April 1, 2025 to recover the cost of the initial registration of additional residential units and be added to the Town's User Fee By-law at the next available opportunity.

EXECUTIVE SUMMARY

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. The related zoning amendments for ARUs in urban areas were approved by Council in 2024, as a result of the enactment of Bill 23, More Homes Built Faster Act.

This report recommends the adoption of two by-laws to support the Additional Residential Unit (ARU) Compliance Program: an Additional Residential Unit (ARU) Registry By-law and the Numbering of Properties & Buildings By-law. These by-laws are being recommended to support life safety in ARUs and to help manage the impacts of ARUs on the community.

The proposed ARU Registry By-law will align with zoning requirements and will regulate additional dwelling units. This registry will ensure the following: that critical emergency response information is available for Fire and Rescue Services, the safety for ARU occupants and overall compliance with municipal regulations and zoning for ARUs.

Proposed updates to the Numbering of Properties & Buildings By-law will ensure that the property numbering system is clear and consistent for ARUs and will allow emergency responders to quickly locate addresses, especially in cases where accessory units or alternate residential arrangements, such as accessory residential units, are present.

It is recommended that a new user fee of \$340.00, before taxes, be introduced to recover the cost of the initial registration of ARUs, which is a user-funded program. At this time, this is an initial fee for ARUs and not an annual or renewal fee.

Towards the conclusion of the three-year pilot program, staff will re-assess the financial implications of the program and report back to Council on the long-term resourcing requirements and budgetary implications, along with any recommended changes to the user fees.

REPORT

Background

Through Bill 23, the More Homes Built Faster Act, 2022, 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. An ARU may be located within a 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.

As noted within Staff Reports DS-30-2024 and DS-24-2024, staff have identified that it is critical for property owners who operate an ARU to register the unit with the Town and to agree to the terms of a registry and the necessary numbering of building and properties. This is meant to ensure that ARUs in the community meet safety standards and can be accessed by fire and emergency services, if needed.

Discussion

ARU Registry By-law Regulatory Overview:

An ARU is 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.

ARUs differ from short term rental units. Short term rentals (STRs) are defined as the rental of private individuals of their home, or part of their home, for short periods of time (28 days or less) and have been licensed in the Town of Milton in 2022. ARUs and

Discussion

STRs provide different types of housing and accommodation options within the community.

The proposed ARU Registry By-law aims to create a structured approach to managing residential units in Milton to ensure compliance with safety requirements and to help address impacts to the community. An ARU Registry By-law will have specific requirements for ARUs, which will be discussed below.

ARU Registry By-law:

An Additional Residential Unit Registry By-law has been developed by staff following a jurisdictional scan of comparable municipalities, a regulatory review of municipal by-laws and consideration of enforcement resources.

If approved, all new and existing ARUs must be registered with the Town of Milton in accordance with the proposed Registry By-law included within this agenda. Upon registration, the ARU owner will be required to submit an application fee to a Town-appointed Licensing Officer for review and approval. When an initial application is received, a Municipal Law Enforcement Officer and a Fire Prevention Officer will conduct an inspection of the property to ensure compliance of municipal by-laws and provincial regulations, such as zoning, community standards, the Fire Prevention and Protection Act and the Ontario Fire Code.

The introduction of ARU registry will ensure the following:

- **Critical emergency response information:** The ARU registry will allow emergency services to respond to an emergency at a property with ARUs with the appropriate amount and type of resources required to manage an incident with multiple units.
- **Safety for occupants:** Registry requirements and inspections are aimed at ensuring that ARUs meet safety and regulatory standards and help to ensure safe living conditions within the community.
- **Compliance with municipal regulations:** By establishing a registry for ARUs, the Town can monitor the presence of ARUs and ensure they meet municipal regulations, which may not currently be enforced.
- **Mitigation of community impacts:** Regulating ARUs can help address community impacts by ensuring that properties are used for their intended residential purposes and meet zoning requirements. The proposed registry by-law will ensure that the Town has a record of contact for property owners with ARUs and that the property is in compliance with the Fire Prevention and Protection Act, the Ontario Building Code Act and all Town by-law requirements (i.e. noise and parking).

Discussion

- **Improved data about dwellings in Milton:** The introduction of a registry could also provide better and more accurate information about the number of dwellings within the community, which helps with planning for the future.

Numbering of Properties & Buildings By-law - Regulatory Overview:

In addition to the development of ARU Registry By-law, staff are proposing updates to Numbering of Properties & Buildings By-law. There was significant consultation between the Legislative and Legal Services Division and Milton's Fire and Emergency Services during the by-law review process, which allowed staff to gather their input on how the numbering system could be improved for operational needs and emergency response.

The changes to the existing Number of Properties & Buildings By-law include:

- **Clear Distinction of Accessory Units:** The proposed by-law includes specific provisions for numbering accessory units, such as basement apartments or secondary suites, to distinguish them from the primary residence. For example, using a system of 123-1 for detached and semi-detached dwelling units and 123-1-1 for townhouse units would help identify accessory units.
- **Consistent Numbering Format:** The by-law establishes a uniform format for numbering that is easily recognizable by both residents and emergency responders, which includes guidelines on font size, placement, and visibility during day and night.

The amended Numbering of Properties and Buildings By-law seeks to improve emergency response to residents by having clarity for residents and emergency personnel alike about the location of an incident. Compliance with this by-law ensures that emergency responders have clear and accurate information regarding the numbering and location of units within a dwelling. By following the established guidelines for ARUs and house numbering, property owners will help to ensure that safety of occupants and properties.

ARU Inspections:

As part of the 2025 Budget, an Additional Residential Unit (ARU Compliance Program) will be in place for a 3-year pilot term. Resources have been dedicated to support this registry program to ensure compliance with Town by-laws for ARUs and to assess the long-term impacts of ARUs.

With the dedicated staffing resources, ARU inspections will be coordinated with Municipal Enforcement and Fire Prevention staff to enhance community safety, uphold property standards and address community impacts.

Discussion

Upon the submission of an initial application, inspections will include, but are not limited to:

- **Assessment of Municipal By-Laws:** Officer will evaluate compliance with by-laws, including parking regulations and community standards. This may involve checking for unauthorized parking, maintaining property aesthetics, and ensuring that noise and nuisance regulations are followed.
- **Zoning Compliance:** The inspections will verify that properties conform to zoning requirements, including land use designations, building setbacks, and density regulations. This is crucial to maintaining the intended purpose of legal units within the community.
- **Fire Safety Regulations:** The inspections will assess adherence to the Fire Prevention and Protection Act. This includes checking for proper installation and maintenance of fire alarms, sprinkler systems, emergency exits, and overall fire safety protocols. Inspectors will also evaluate the availability of fire extinguishers and the maintenance of clear evacuation routes.
- **Documentation and Reporting:** Following the inspections, detailed reports will be compiled, outlining any violations or areas of non-compliance. Property owners will receive notifications regarding any issues that need to be addressed, along with timelines for compliance.
- **Follow-up Inspections:** After the initial inspections and subsequent notifications, follow-up inspections will be conducted to ensure that any identified issues have been rectified. Continued non-compliance may result in further action, including fines or other enforcement action.
- **Collaboration and Education:** Enforcement and fire prevention staff will work together to educate property owners about compliance requirements and best practices for maintaining safety and adherence to municipal regulations.

Fees:

The introduction of a user fee for the registration of ARUs will allow the Town to recover the cost of registration, including compliance inspections. A user fee analysis has been conducted and a fee of \$340.00, excluding HST, is recommended effective April 1, 2025. This amount is comparable to surrounding municipalities based on a municipal scan completed and assumes 2 dedicated inspections staff and 3.5 inspections per day for breakeven. The fee will be subject to annual increases based on the Town's annual municipal price index.

The fee will be applicable to registrants upon the initial registration of the ARU. Through the pilot phase, the time and effort associated with the registry process will be further assessed to review whether the fee structure adequately recovers the ongoing costs of this user-funded program. At this time, this is an initial fee and not an annual or renewal fee.



The Corporation of the Town of Milton

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Discussion

Education:

Working with the Communications & Customer Experience Division, audiences will be reached after the enactment date of the ARU registry by-law (April 1, 2025) through standard channels including: social media, media relations, website updates, and online material. Web page content will include a detailed guide outlining permit submission, enforcement requirements and frequently asked questions to help stakeholders navigate the new permit process effectively.

Collaboration with Fire and Emergency Services will also aim to leverage stakeholder outreach to encourage compliance with this pilot program.

Financial Impact

The 2025 Budget included capital project C26001225 - Additional Residential Unit (ARU) Compliance Program in the amount of \$1,009,315 to provide for a three-year compliance pilot program (2025 to 2028).

During the three-year pilot phase, the Town will dedicate temporary resources, funded through the capital project and user fees, to support the registry program to ensure compliance with Town zoning by-law requirements and applicable provincial legislation.

Towards the end of the pilot, staff will re-assess the financial implications of the program and report back to Council on the long-term resourcing requirements and budgetary implications, along with any recommended changes to the user fees.

Respectfully submitted,

Kristene Scott
Commissioner, Corporate Services

For questions, please contact:	Mary Beth Mitchell, Manager, Licensing and Enforcement	Phone: Ext. 2133
	Ted Michael, Division Chief of Fire Prevention	

Attachments

Appendix A: Draft ARU Registry By-law

Appendix B: Draft Numbering of Properties and Buildings By-law

Approved by CAO



The Corporation of the Town of Milton

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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 NO. xxx- 2025

BEING A BY-LAW TO PROVIDE FOR THE REGISTRATION OF ADDITIONAL RESIDENTIAL UNITS.

WHEREAS Subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, ("*Municipal Act, 2001*") provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues

AND WHEREAS Section 11(2) of the *Municipal Act, 2001*, as amended, permits a lower-tier municipality to pass by-laws respecting matters, such as the health, safety and well-being of persons and the protection of persons and property;

AND WHEREAS Subsection 391(1) of the *Municipal Act, 2001*, provides that a municipality may impose fees and charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS Section 426 of the *Municipal Act, 2001*, provides that no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under the Act;

AND WHEREAS Subsection 429(1) of the *Municipal Act, 2001*, provides that a municipality may establish a system of fines for a by-law passed under the Act;

AND WHEREAS Subsection 436(1) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws providing for the entry onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law;

AND WHEREAS Section 444 of the *Municipal Act, 2001*, provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

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

1 SHORT TITLE

1.1 This By-law may be cited as the "Additional Residential Unit Registration By-law".

2 SCOPE AND INTERPRETATION

- 2.1 Where the provisions of this By-law conflict with the provision of any other By-law in force in the *Town*, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.
- 2.2 In the interpretation and application of the provisions of this By-law, unless otherwise stated to the contrary, the provisions shall be held to be the minimum requirements adopted for the promotion of public health, safety, comfort, convenience and general welfare.

3 DEFINITIONS

- 3.1 For the purposes of this By-law the following terms are defined and referenced in italics within:

“Additional Residential Unit” 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;

“APS By-Law” shall mean the Administrative Penalties System Respecting Non-Parking Violations By-Law as amended or any successor thereto;

“Applicant” means any *person* applying for a *Licence* under this By-law;

“Continues” or “continued” with respect to a contravention, shall have the same meaning as in the APS By-Law;

“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;

“Dwelling, Detached” means a building containing not more than one dwelling unit, exclusive of any accessory 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 three (3) or more dwelling units above grade, exclusive of any additional dwelling unit(s), whereby each dwelling unit has an independent entrance into the unit from the outside and whereby each unit has access to the rear yard;

“Officer” means a Provincial Offences *Officer*, Municipal Law Enforcement Officer of the *Town*, Fire Prevention Inspector or any other person appointed by or under the authority of a *Town* By-law to enforce this By-law;

“Owner” means any person who is the registered or beneficial *Owner* of a *property* or who leases, rents, occupies, maintains, manages, receives rent from or otherwise controls a *property*;

“Penalty Notice” means” a notice issued pursuant to the Town’s APS By-Law

“person” includes a natural person and a company, corporation, cooperative, partnership, firm, sole proprietorship, trust, association, society, organization or other legal entity;

“Principal Residence” means a *dwelling unit* owned or rented by a natural *person*, either alone or jointly with others, where the person is ordinarily resident of the *dwelling unit*;

“Property” includes all land, buildings and structures within the legal boundary lines of a *property*, including without limitation, yards, parts of a building or structure, mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes vacant *property*, real *property* and chattel;

“Register” means the public record of *Additional Residential Units* registered under this by-law;

“Registrar” means the Town Clerk or the Town Clerk’s Official’s designate;

“*Town*” means the Corporation of the *Town* of Milton; “*User Fees By-Law*” means the applicable *Town* by-law setting the user fees in respect of the *Additional Residential Units*;

“*Zoning By-law*” means the applicable in force zoning by-law of the *Town* as amended from time to time.

4 PROHIBITION

- 4.1 Every *Owner* of a *Property* with one or more *Additional Residential Unit(s)* shall register the *Additional Residential Unit(s)* under this by-law and renew the registration on an annual basis.

5 REQUIREMENTS FOR REGISTRATION

- 5.1 In applying to have an *Additional Residential Unit* registered or a registration renewed under this by-law, the owner shall provide the following to the Registrar:

- (a) a complete application in the form required by the *Registrar*

- (b) a floor plan for all dwelling units showing existing rooms and spaces, and identifying the use of each room and space
- (c) any other documents deemed necessary by the *Registrar* to confirm compliance with applicable laws

5.2 The Owner shall bear the onus of providing to the *Registrar* that the *Owner's Additional Residential Unit* meets all applicable requirements for registration under this By-law, for greater certainty, an Additional Residential Unit may still qualify for registration under this By-law despite being part of a legal non-conforming use.

5.3 Every *Additional Residential Unit* shall be inspected as required to ensure that it complies with all relevant standards determined to be applicable, including but not limited to, the Ontario Building Code; Ontario Fire Code; applicable Zoning By-law; and Property Standards By-law, all as amended from time to time;

5.4 An Owner who applies to have an *Additional Residential Unit* registered under this by-law, shall pay all applicable fees or charges pursuant to the *Town's User Fees By-law* for all documentation required for registration.

6 REFUSAL and REVOCATION

6.1 On an application to register an *Additional Residential Unit* or renew a registration, the *Registrar* may arrange for such inspections or make such inquiries as the *Registrar* deems necessary prior to the time of registration, or renewal of registration.

6.2 The *Registrar* may refuse to register, or register renewal, any *Additional Residential Unit* which does not meet the requirements set out in this By-law, the Ontario Building Code; Ontario Fire Code; applicable Zoning By-law; and Property Standards By-law. The *Registrar* may revoke the registration, or registration renewal, of any *Additional Residential Unit*, which, at any time after registration, ceases to meet these requirements.

6.3 The *Registrar* may set conditions in approving a registration or renewal.

7 NOTIFICATION of REVOCATION

7.1 Where the *Registrar* revokes the registration, or registration renewal, of an *Additional Residential Unit*, they shall notify the *Owner* of the *Additional Residential Unit* of such revocation and provide a brief explanation of the reason for the revocation.

7.2 Prior to revocation under s. 7.1, the *Registrar* shall provide written notice to the *Owner* describing the nature of the deficiency that gives rise to the potential revocation and allowing 30 days for the deficiency to be corrected.

7.3 Notice may be sent by regular mail to the address of the *Additional Residential Unit*, or the address of the *Owner* of the *Additional Residential Unit*.

8 INSPECTIONS AND ORDERS

8.1 An Officer may at any reasonable time, enter upon and inspect the land of any person to ensure that the provisions of this By-law are complied with, in accordance with section 436(1) of the Municipal Act, 2001, S.O. 2001, c. 25 .

8.2 For the purposes of conducting an inspection pursuant to this By-law, an *Officer* may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any *person* concerning a matter related to the inspection; and
- (d) alone, or in conjunction with a *person* possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

8.3 Any cost incurred by the *Town* in exercising its authority to inspect, including but not limited to the cost of any examination, test, sample or photograph necessary for the purposes of the inspection, shall be paid by the *owner* of the *property* where the inspection takes place.

8.4 No *person* shall prevent, hinder, or obstruct, or attempt to prevent, hinder or obstruct, an *Officer* who is lawfully exercising a power or performing a duty under this By-law.

8.5 Where an *Officer* has reason to believe that any provision of this By-law has been contravened, the Officer may issue an Order requiring the *Owner* to do work or take action to correct the contravention.

8.6 An Order under subsection 8.5 shall include:

- (a) the reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
- (b) the date by which there must be compliance with the Order and the work to be done or the conduct to be discontinued by that date.

8.7 Every person shall comply with an Order made pursuant to subsection 8.6.

8.8 No person who has notice or knowledge of an Order shall assist in any way in the violation contravention of the terms of an Order, regardless of whether said person

is named in the Order. Where the person or persons to whom an Order is issued fails to perform the work or action required by the Order within the time stipulated in the Order, the Town may without further notice perform such work or action as it deems appropriate.

- 8.9 Where the Town undertakes work or any action or work pursuant to subsection 8.8, the person or persons shall be jointly and severally responsible for all costs of the Town incurred in the exercise of the powers thereunder, including administrative costs and interest. Such costs, as determined by the Town, shall constitute a charge under the *Municipal Act*, 2001, S.O. 2001, c. 25 as amended, and may be added to the tax roll of any property held by the Licensee the owner, or other person in the manner provided for therein.

9 SERVICE

- 9.1 Any notice, Order or other document under this By-law may be served by any of the following means:

- (a) delivered personally;
- (b) in the case of an Order, posted on the property that is subject to the Order;
- (c) emailed to the last known email address of the person to whom the notice, Order or document is directed;
- (d) deposited in the mailbox or mail slot of the person to whom the notice, Order or document is directed;
- (e) sent by prepaid regular mail to the last known address of the person to whom notice, Order or document is directed; or
- (f) sent by registered mail to the last known address of the person to whom notice, Order or document is directed.

- 9.2 Where service is effected by:

- (a) regular mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing;
- (b) registered mail, it shall be deemed to be made on the second (2nd) day after the date of mailing;
- (c) any other means, it shall be deemed effective on the day the document served was delivered, posted, emailed or deposited; or
- (d) service by multiple means, it shall be deemed effective on earliest applicable date set out in this section.

- 9.3 Where an Order is posted, no person may remove the Order without the written authorization of the Town.

10 PENALTY

10.1 Any *person* who contravenes any provisions of this By-law is, upon conviction, guilty of an offence and shall be liable to a fine of not less than \$500 and not more than \$50,000, except as provided in subsection 10.2.

10.2 Where the contravention *continues* for more than one day, a Person convicted of a continuing offence is liable to a fine of no less than \$500 and no more than \$10,000 for each day or part of a day on which the offence occurs or continues.

11 ADMINISTRATIVE MONETARY PENALTIES

11.1 An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a registration, or order, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 1 of the following table for the applicable contravention:

Column	1	2
Occurrence	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	\$ 600.00 for each day that the contravention occurred or <i>continued</i>	\$150.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	\$1,000.00 for each day that contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
Third and subsequent Penalty Notice	\$2,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$500.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>

- 11.2 Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 30 days of the date of *issuance*.
- 11.3 Where a *Penalty Notice* has been canceled under the *APS By-Law* it shall not be considered a *Penalty Notice* for the purposes of subsection 11.1 of this By-Law.
- 11.4 If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.
- 11.5 Other than as set out in subsection 11.4 of this by-law, the issuing of a *Penalty Notice* does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

12 SEVERABILITY

- 12.1 If a court of competent jurisdiction declares any section or part of this by-law invalid, the remainder of this By-law shall continue in force unless the court makes an order to the contrary.

13 EFFECT

- 13.1 This By-law shall come into force and effect on March 17, 2025.

PASSED IN OPEN COUNCIL ON MARCH 17, 2025.

Gordon A. Krantz

Mayor

Meaghen Reid

Town Clerk

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XX-2025

BEING A BY-LAW TO PROVIDE FOR THE NUMBERING OF PROPERTIES AND BUILDINGS WITHIN THE TOWN OF MILTON

WHEREAS section 116(1) of the *Municipal Act* provides that a municipality may establish, maintain and operate a centralized communication system for emergency response purposes;

AND WHEREAS section 116(2) of the *Municipal Act, 2001* provides that a municipality that has passed a by-law under section 116(1) may at any reasonable time, enter upon land to affix numbers to buildings or erect signs setting out numbers on land;

AND WHEREAS the Council of The Corporation of the Town of Milton deems it necessary for the safety and welfare of its citizens to have all occupied buildings in the Town display an assigned municipal number for prompt identification by emergency service personnel;

AND WHEREAS the Council of the Corporation of the Town of Milton approved By-law No. 026-2010 and is now desirous of repealing said By-law and enacting a new by-law to provide for the numbering of lots and buildings within the Town of Milton;

NOW THEREFORE, THE COUNCIL FOR THE CORPORATION OF THE TOWN OF MILTON ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1. In this By-law:

- (a) “Additional Residential Unit or “ARU” 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;
- (b) “APS By-Law” shall mean the Administrative Penalties System By-law Respecting Non-Parking Violations By-Law as amended or any successor thereto;
- (c) “Building” means a structure occupying an area greater than 10 square metres consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto;

- (d) “construct” means to do anything in the erection, installation, extension or material alteration or repair of a *building* and includes the installation of a *building* unit fabricated or moved from elsewhere and “construction” or “constructing” have a corresponding meaning;
- (e) “continues” or “continued” with respect to a contravention, shall have the same meaning as in the *APS By-Law*;
- (f) “Chief Fire Official” means the Town’s Chief Fire Official, or their designate;
- (g) “corporation” includes a company, corporation, cooperative, partnership, firm, sole proprietorship, association, society, organization, any other legal entity that is not an *individual*;
- (h) “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.
- (i) “front lot line” means where the property line abutting the *road* for which a *municipal address number* has been assigned..
- (j) “individual” means a natural person;
- (k) “municipal address number” means the number assigned by the Town to a *building* or property, either before or after the coming into effect of this By-law, which is primarily used to designate and locate such a *building* or property along a *road*;
- (l) “owner” means any *person* who is the registered or beneficial owner of a property or who leases, rents, occupies, manages, receives rent from or otherwise controls a property ;
- (m) “Officer” means any person authorised to enforce this by-law.
- (n) “person” includes an *individual* and a *corporation*;
- (o) “Penalty Notice” means a notice issued pursuant to the Town’s APS By-Law;
- (p) “private road” means a road, street or laneway that is privately owned and provides access to one or more properties which do not front onto a *road allowance*, but does not include an *internal private road*;
- (q) “private road, internal” means all privately owned driveways, rights of way, fire access routes, laneways or road within the limits of a property or internal to a condominium or townhouse development which give access to *buildings* or units, but does not include a *road allowance*;

- (r) “road allowance” includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral *property* lines thereof, but does not include a *private road* or *internal private road*.
- (s) “road” means a *private road* or a *road allowance* but does not include an *internal private road*.
- (t) “Town” means the Corporation of the Town of Milton;
- (u) “townhouse” means a building divided vertically by common walls into 3 or more dwelling units above grade, exclusive of any additional dwelling unit(s), whereby each dwelling unit has an independent entrance into the unit from the outside and whereby each unit has access to the rear yard.
- (v) “Rural area” means those lands outside the Urban Expansion Area Boundary as set out in the in force and effect Town’s Official Plan. This area includes hamlets and rural settlement areas such as Moffat and Campbellville
- (w) “Urban area” means those lands within the Urban Expansion Area Boundary as set out in the Town’s Official Plan;

2. ASSIGNMENT OF MUNICIPAL ADDRESS NUMBERS

- 2.1. The Town, through the Development Services Department, shall maintain a system for assigning sequential *municipal address numbers* and unit numbers and shall assign said municipal address and unit numbers to properties and *buildings* within the Town of Milton.

3. POSTING OF MUNICIPAL ADDRESS NUMBERS

- 3.1. Every *owner*, shall ensure that prior to *constructing a building* on the owner’s property the requirements of this By-law regarding *municipal address numbers* and, where applicable unit numbers, have been complied with.
- 3.2. Where a property or *building* has not been assigned a municipal address or unit number, it is the *owner’s* responsibility to make assignment arrangements with the Town to satisfy the requirements of section 3.1.
- 3.3. Every owner shall ensure that the municipal address number and, where applicable, unit number for any property or building is displayed in such a manner so as to ensure clear understanding for which property, building or unit the municipal address number or unit number applies to.
- 3.4. The municipal address number for a new property shall be installed by the owner, at the owner’s expense.

- 3.5. Where a form of a residential building is not expressly address in this By-Law it shall be numbered in accordance with the closest analogous building in this By-Law.

4. STANDARDS FOR MUNICIPAL ADDRESS NUMBERS

- 4.1. A *municipal address number*, when posted, shall be:

- (a) made from durable waterproof material, and
- (b) bear numbers in contrasting colour to the background and
- (c) be located facing the *road* in a manner that the *municipal address number* is clearly visible from the *road*, both in daylight and at night.

- 4.2. All *municipal address numbers* for properties in the urban area shall be in accordance with the standards in Schedule "A" to this by-law.

- 4.3. All *municipal address numbers* for properties in the rural area shall be in accordance with the standards in Schedule "B" to this By-law.

- 4.4. Where a property contains a *building*, other than an apartment building, with one or more *residential units*, the *owner* of a residential *building*, shall firmly affix to and maintain on the front of the *building* the *municipal address number*, which shall be clearly visible from the *road* onto which the *building* has its main access.

- 4.5. Where a property contains one or more *additional residential units*, each unit shall be identifiable by:

- (a) unit numbers shall be displayed on the door of all interior or exterior units; and
- (b) electronic submission to GIS for MFRS for use when dispatched

- 4.6. Where units in a *townhouse* development front onto an *internal private road*:

- (a) the allotted unit number shall be firmly affixed to the front of each individual *townhouse* units and located so as to be clearly visible from the *internal private road* on which the unit has its access;
- (b) at the point of access where the *internal private road(s)* intersects the *road(s)*, permanent *municipal address number* sign(s) shall be posted displaying the *municipal address number* of the complex and the range of *townhouse* unit numbers; and
- (c) where there are two (2) or more *internal private roads* within the complex, the sign(s) set out in subsection 4.6(b) shall contain a map that depicts the layout of the private internal roads, the layout of the *buildings* and the unit numbers for each building.

- 4.7. Where the property contains a commercial, industrial, public, institutional or apartment *building*:
- (a) where there is only one *building* on the property the *municipal address number* shall be firmly affixed to the front of the building and clearly visible from the *road* onto which the *building* has its main access;
 - (b) where there are two or more buildings on the property and where one or more of such *buildings* cannot be seen from the *road* onto which the *buildings* have their main access, then:
 - (1) the *municipal address number* shall be posted on a permanent sign that displays the *municipal address* located so as to be clearly visible from the *road* onto which the buildings have their main access: and
- 4.8. When a *building* is under construction and the *owner* is not able to comply with the foregoing provisions of this By-law, then the *municipal address number* shall be displayed on a temporary sign and shall be clearly visible from the *road*. The sign is to remain erected and shall be maintained in good repair so that the number remains legible until the permanent *municipal address number*, and, where applicable, unit numbers can be posted or affixed in accordance with other provisions of this By-law, which shall occur prior to occupancy.
- 4.9. Where a *building* fronts onto more than one *road*, the *municipal address number* shall be affixed such that it is clearly visible from the *road* to which the *municipal address number* applies.
- 4.10. Where the *building* to be numbered is 15.2 m (50 feet) or more from the *front lot line*, the *municipal address number* and where applicable, unit number, shall be posted on a signpost within 3.0 m (9 feet) of the property line fronting on the road at a height of between 1.2 m and 1.8 m (4 – 6 feet) above grade level in a manner that is clearly visible from the *road*, or in such other location as is approved by the Fire Chief Official.
- 4.11. Where the *building* to be numbered is less than 15.2 m (50 feet) from the *front lot line*, the *municipal address number* and where applicable, unit number, shall be affixed to the portion of the *building* fronting on the *road* that is within 15.2 m from the front lot line, or on a signpost or other fixed object located between the *building* and the *front lot line*, at a height of between 1.2 m and 1.8 m (4 – 6 feet) above grade level in a manner that is clearly visible from the *road*, or in such other location as is approved by the *Fire Chief*.

5. MUNICIPAL ADDRESS NUMBER CHANGE REQUEST

- 5.1 A property's registered owner may petition in writing to the Chief Fire Official for a change to the municipal address number or unit number
- 5.2 Approval for a change to a *municipal address number* may be given if the following criteria are satisfied:
- (a) the change is feasible and does not conflict with house numbering criteria;
 - (b) abutting registered property owners are not affected by change;
 - (c) no letters or half numbers may be permitted; and
 - (d) the appropriate fee, as set out in the Town's User Fee By-law, as amended from time to time, has been paid by the registered owner.
 - (e) Only the last numeral in a municipal address number may be changed.
- 5.3 The *Town* may waive the fee to change a *municipal address number* where:
- (a) an error or omission has been made by the *Town* when assigning numbering;
 - (b) the Chief Fire Official recommends a change where they believe the level of emergency service response would be improved

6. PROHIBITIONS

6.1. No person shall:

- (a) post a *municipal address number* or unit number other than that assigned to the property, *building* or unit;
- (b) post, install, maintain or permit to be maintained, a *municipal address number* or unit number other than in accordance with the provisions of this By-law;
- (c) conceal, destroy or deface a *municipal address number* or unit number;
- (d) fail to maintain a *municipal address number* or unit number;
- (e) remove a *municipal address number*, other than as may be strictly necessary for the immediate repair or replacement of the *number*;
- (f) affix the *municipal address number* or unit number for any property or *building* solely onto a landscape feature (naturally or artificially placed), or any other decorative feature on the property that may be covered or obscured by weather, snowfall, or growth of vegetation.

7. INSPECTIONS AND ORDERS

- 7.1. An Officer may at any reasonable time, enter upon and inspect the land of any person to ensure that the provisions of this By-law are complied with, which may in accordance with section 436(1) of the Municipal Act, 2001, S.O. 2001, c. 25,
- 7.2. Any cost incurred by the Town in exercising its authority to inspect, shall be paid by the owner of the property where the inspection takes place.
- 7.3. No person shall prevent, hinder, or obstruct, or attempt to prevent, hinder or obstruct, an Officer who is lawfully exercising a power or performing a duty under this By-law;
- 7.4. Where an Officer has reason to believe that any provision of this By-law or any has been contravened, the Officer may issue an Order requiring the owner, or such any other person who contravened this By-law or who caused or permitted the contravention to discontinue the contravention or to do work or take action to correct the contravention.
- 7.5. An Order under subsection 7.4 shall include:
 - (a) the reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and
 - (b) the date by which there must be compliance with the Order and the work to be done or the conduct to be discontinued by that date
- 7.6. Every person shall comply with an Order made pursuant to subsection 7.4
- 7.7. No person who has notice or knowledge of an Order shall assist in any way in the contravention of the terms of an Order, regardless of whether said person is named in the Order. Where the person or persons to whom an Order is issued fails to perform the work or action required by the Order within the time stipulated in the Order, the Town may without further notice perform such work or action as it deems appropriate.
- 7.8. Where the Town undertakes work or any action or work pursuant to subsection 7.7, the person or persons shall be jointly and severally responsible for all costs of the Town incurred in the exercise of the powers thereunder, including administrative costs and interest. Such costs, as determined by the Town, shall constitute a charge under the Municipal Act, 2001, S.O. 2001, c. 25 as amended, and may be added to the tax roll of any property held by the owner or person in the manner provided for therein.

8. SERVICE

8.1. An Order or any notice or other document under this By-law may be served by any of the following means:

- (a) Delivered personally;
- (b) Posted on the property that is subject to the Order;
- (c) Emailed to the last known email address of the person to whom the Order is directed;
- (d) Deposited in the mailbox or mail slot of the person to whom the Order is directed;
- (e) Sent by prepaid regular mail to the last known address of the person to whom the Order is directed; or
- (f) Sent by registered mail to the last known address of the person to whom the Order is directed.

8.2. Where service is effected by:

- (a) regular mail, it shall be deemed to be made on the fifth (5th) day after the date of mailing;
- (b) registered mail, it shall be deemed to be made on the second (2nd) day after the date of mailing;
- (c) any other means, it shall be deemed effective on the day the document served was delivered, posted, emailed or deposited; or
- (d) service by multiple means, it shall be deemed effective on earliest applicable date set out in this section;
- (e) Where an Order is posted, no person may remove the Order without the written authorization of the Town

9. ENFORCEMENT

9.1. This By-law shall be enforced by the *Chief Fire Official*, Fire Prevention Officers and Municipal Law Enforcement Officers or such other persons as *Council* may designate.

10. SEVERABILITY

10.1. If a court or any tribunal of competent jurisdiction declares any section or part of this By-law invalid, the remainder of this By-law shall continue in force unless the court or tribunal makes an order to the contrary.

11. PENALTY

11.1. Any *person* who contravenes any provisions of this By-law is, upon conviction, guilty of an offence and shall be liable to a fine of not less than \$400 and not more than \$25,000, except as provided in subsection 11.2.

- 11.2. Where the contravention *continues* for more than one day, a Person convicted of a continuing offense is liable to a fine of no less than Four Hundred Dollars (\$400) and no more than Ten Thousand Dollars (\$10,000) for each day or part of a day on which the offence occurs or continues

12. ADMINISTRATIVE PENALTIES

- 12.1. An *Officer* who is satisfied that a *person* has contravened any provision of this By-law, which includes without limitation any requirement or condition of a licence, permit, order or direction, may issue a *Penalty Notice* to the *person* for each contravention in the amount set out in Column 2 of the following table for the applicable contravention:

Column	1	2	3
Occurrence	Contravention Type	Administrative Penalty <i>per</i> Contravention	Minimum Penalty <i>per</i> Contravention
First Penalty Notice	Failure to Comply with an Order under s.7.4	\$ 400.00 for each day that the contravention occurred or <i>continued</i>	\$100.00 for each day that the contravention occurred or <i>continued</i>
	All other contraventions	\$300.00 for each day that the contravention occurred or <i>continued</i>	\$75.00 for each day that the contravention occurred or <i>continued</i>
Second Penalty Notice	Failure to Comply with an Order under s.7.4	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the First <i>Penalty Notice</i>
	All other contraventions	\$500.00 for each day that the contravention occurred or <i>continued</i> to occur	\$125.00 for each day that the contravention occurred or

		after the date in the First <i>Penalty Notice</i>	<i>continued</i> to occur after the date in the First <i>Penalty Notice</i>
Third and subsequent <i>Penalty Notice</i>	Failure to Comply with an Order under s.7.4	\$1,000.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$250.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>
	All other contraventions	\$700.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i>	\$175.00 for each day that the contravention occurred or <i>continued</i> after the date in the Second or subsequent <i>Penalty Notice</i> subsequent <i>Penalty Notice</i>

- 12.2. Each *person* who has been issued a *Penalty Notice* shall, be liable to pay the administrative penalty set out in the *Penalty Notice* to the *Town* within 30 days of the date of issuance.
- 12.3. Where a *Penalty Notice* has been canceled under the *Town's* APS By-Law it shall not be considered a *Penalty Notice* for the purposes of subsection 12.2 of this By-Law.
- 12.4. If a *person* is issued a *Penalty Notice*, the *person* shall not be charged with an offence or issued an additional *Penalty Notice* in respect of the same contravention. For clarity, the *person* may be charged for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention after the date in the *Penalty Notice*. Likewise, a *person* may be issued a *Penalty Notice* for a different contravention of this By-Law, a repetition of a contravention, or in the case of a continuing contravention, a continuation of the contravention

after the date(s) of the offence set out in any charges or the contravention set out in the *Penalty Notices* that have been issued.

- 12.5. Other than as set out in subsection 12.4 of this by-law, the issuing of a Penalty Notice does not limit the *Town's* ability to initiate any other proceeding or seek any other remedy the *Town* deems appropriate to prevent the continuation or repetition of the contravention.

13. REPEAL OF BY-LAWS

- 13.1. By-law No. 026-2010 is hereby repealed.

14. SHORT TITLE

- 14.1. This By-law shall be known as the Numbering of Properties and Buildings By-law.

15. EFFECT COMING INTO FORCE

- 15.1. This By-law shall come into force and effect on the day it is passed.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED this day of, 2025.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE A

Urban Area Requirements

The design, size and location of municipal address numbers and/or lot numbers in the urban area shall be no smaller than six inches in height and be in accordance with the design and location standard shown in this By-law.



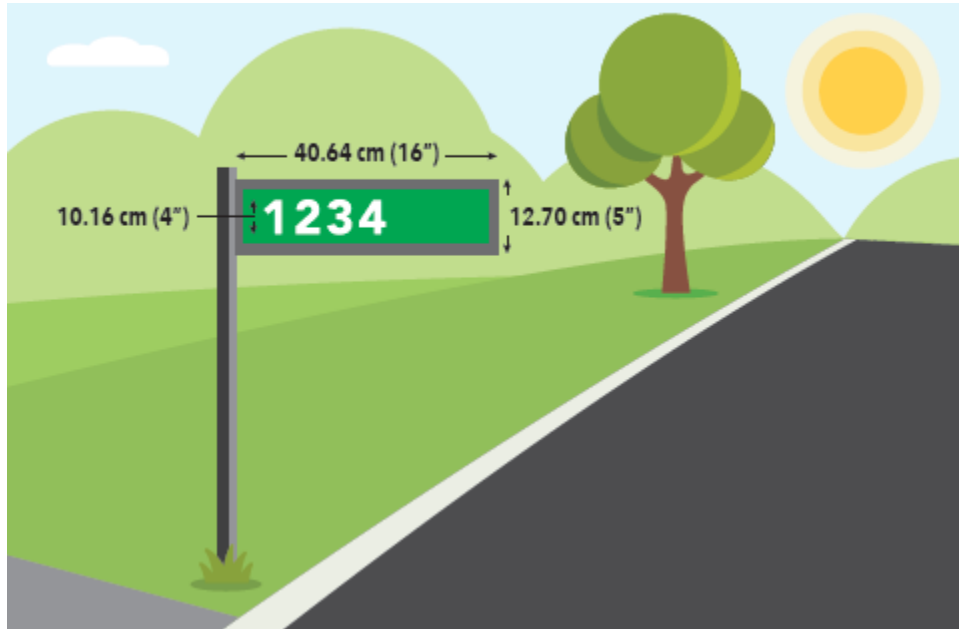
Specifications:

1. Affix the civic number at a height between 2.0 metres (6.5 feet) and 2.5 metres (8.2 feet) above grade.
2. Ensure that every civic number shall be expressed in legible Arabic digits at least:
 - 100 millimetres (4 inches) high with at least a 12 millimetre ($\frac{1}{2}$ inch) wide stroke, subject to 4(c)(ii); and
 - at least 200 millimetres (8 inches) high with at least a 20 millimetre ($\frac{3}{4}$ inch) wide stroke where the building is setback from the travelled portion of the road between 18.0 metres (59 feet) and 30.0 metres (98 feet).

SCHEDULE B

Rural Area Requirements

Municipal address number signs in the rural area shall be attached to a post which is clearly visible from both sides of the road. The sign should be adjacent to the property line at the driveway.



Specifications:

1. Flat aluminum or metal sign blank of 40.64 cm x 12.70 cm (16" x 5").
2. White numbers 10.16 cm (4") high on a green background.
3. Numbers and background to be made of engineering grade retro-reflective traffic sign sheeting.
4. Municipal address number signs in the rural area shall be attached to a post which is clearly visible from both sides of the road. The sign should be adjacent to the property line at the driveway.