

**THE CORPORATION OF THE TOWN OF MILTON**

**BY-LAW NO. 079-2019**

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF THE LANDS KNOWN MUNICIPALLY AS 1050 BRONTE STREET SOUTH, LEGALLY DESCRIBED AS PART OF LOT 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MANAMAN CENTRE INC) - FILE Z-04/17

**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 will provide for the lands affected by this By-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment Number 57.

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

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014 is hereby further amended by changing the existing Secondary Mixed Use Commercial Special Section 119 (C2\*119) Zone symbol to a new site specific Secondary Mixed Use Commercial Special Section with a Holding Provision (C2\*268\*H37) Zone symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.1.73 to read as follows:

For lands zoned Secondary Mixed Use Commercial Special Section with a Holding Provision (C2\*268\*\*H37), the H37 holding provision shall apply and shall not be removed until:

- a) Regional Servicing Allocation has been secured to the satisfaction of the Region of Halton.
- b) The Owner has submitted, to the satisfaction of the Region of Halton, documentation demonstrating the subject lands are free and clear of contamination for their intended use. An update letter from a Qualified Person (QP) will be required to be submitted to the Region of Halton stating that the Record of Site Condition (RSC) for the site is still appropriate and that no potentially contaminating activity has occurred on the site since the RSC was issued. Should any updated documentation (i.e. Phase 1 and/or 2 Environmental Site Assessment (ESAs), etc.) be recommended as part of

this process, the Region of Halton will require the documentation to be submitted along with a letter of reliance. ESAs must be completed to O.Reg.153/04 standards.

- c) The Owner must demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the Proposed Mixed-Use Development (Manaman Centre) Parking Study Update dated July 26, 2019 by WSP, including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:
- The provision of a minimum of 263 long-term secure bicycle parking spaces plus 28 at-grade short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle parking facilities must comply with the City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the lockers/racks;
  - The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space;
  - The Owner agrees to provide active uses at-grade along street frontages via sidewalk connectivity; and
  - The provision of a bicycle service station equipped with tools for repair and maintenance on site. This must be shown on the plans in a convenient and accessible location including a detail of the proposed service station.
3. **AND THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.268 as follows:
- i. Additional Permitted Uses:  
Notwithstanding Section 7.1, Table 7B to the contrary, the following uses shall also be permitted:
    - a. mixed use buildings
    - b. apartment buildings
  - ii. Notwithstanding the Zone regulations of Section 7.2, Table 7D to the contrary, the following Zone Regulations shall apply:
    - a) Maximum lot coverage – 35%

- b) Minimum front yard setback for a building oriented along Bronte Street South – 3 metres
- c) Maximum front yard setback for a building oriented along Bronte Street South– 10 metres
- d) Minimum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 3 metres
- e) Maximum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 10 metres
- f) Notwithstanding the Gross Floor Area requirements of Table 7D, the following regulations shall apply:
  - i) Maximum Permitted Non-residential Gross Floor Area– 7,917 m<sup>2</sup>
  - g) Maximum building height – 6 storeys to a maximum of 25 metres
  - h) Maximum residential density – 185 units per hectare
  - i) Minimum landscaped open space – 10%
  - j) A landscape buffer abutting a public or private street line shall not be required
  - k) Minimum landscape buffer abutting a residential zone – 1.25 metres

iii. Special Zone Provisions

- a) Non-residential uses shall only be permitted on the first storey of a multi-storey mixed-use building.
- b) Maximum length of a main wall shall not exceed 115 metres.
- c) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 1.5 metres of a street line or lot line.
- d) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for an apartment building shall be a minimum of:
  - 1.0 spaces per 1 bedroom dwelling unit
  - 1.0 spaces per 1 bedroom plus den dwelling unit
  - 1.25 spaces per 2 bedroom dwelling unit
  - 1.25 spaces per 2 bedroom plus den dwelling unit plus 0.25 visitor parking spaces per dwelling unit.
- e) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for a mixed use building shall be a minimum of:
  - 1.0 spaces per 1 bedroom dwelling unit
  - 1.0 spaces per 1 bedroom plus den dwelling unit
  - 1.25 spaces per 2 bedroom dwelling unit
  - 1.25 spaces per 2 bedroom plus den dwelling unit
  - PLUS the Greater of 0.25 parking spaces per residential dwelling unit for visitor parking OR 1 parking space per 25 m<sup>2</sup>

- of GFA for the non-residential component in a mixed use building.
- f) Shared parking provision – 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 surface parking area and may be used for any combination of residential and permitted non-residential uses.
  - g) Notwithstanding Section 5.1 ix), loading spaces and loading areas may be provided inside of a building;
  - h) Section 4.18 iv, v & vi shall not apply.
  - i) At grade patios are permitted for retail and restaurant uses facing an arterial road or a driveway.
  - j) Notwithstanding Section 4.5, to the contrary, balconies are permitted in all yards.
  - k) Notwithstanding Section 4.19.5 (i) (Table 4 H), mixed use buildings shall have the same encroachment permissions as apartment buildings.
  - l) Notwithstanding Section 5.12 (Table 5L), the parking area may be setback 0.0 metres for the shared driveway on the west side of the subject lands that provides access to/from Louis St. Laurent.
  - m) Minimum first storey height of a Mixed Use Building, measured from floor to floor shall be 4.0 metres.
  - n) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for residential dwelling units shall be:
    - 0.7 spaces per unit of Long Term Parking
    - 0.06 spaces per unit of Short Term Parking
  - o) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for non-residential uses shall be 3% of retail vehicle parking requirement.
  - p) Notwithstanding Section 5.10, to the contrary, the terms “long-term” bicycle parking space and “short-term” bicycle parking space have the following meaning:
    - a. “long term” bicycle parking spaces are bicycle *parking spaces* for use by the occupants or tenants of a *building* and shall be located within a *building* or structure, a secure area such as a supervised *parking lot* or enclosure with a secure entrance, or bicycle lockers; and,
    - b. “short-term” bicycle parking spaces are bicycle *parking spaces* for use by visitors to the *building*, and shall be located within *accessible and highly visible locations near the entrance of a building*.
  - q) Notwithstanding Section 5.10, Long Term Bicycle parking spaces shall:
    - a. Be located in an area dedicated to *bicycle parking* only; and

- b. Not be located within a *dwelling unit*, on a *balcony* or in a general storage locker.
- 4. **THAT** 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 Local Planning Appeal Tribunal dismisses the appeal, this by-law shall come into force on the day of the passing. If the Ontario Municipal Board 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 Local Planning Appeal Tribunal's Order issued directing the amendment or amendments.

**PASSED IN OPEN COUNCIL ON AUGUST 12, 2019**

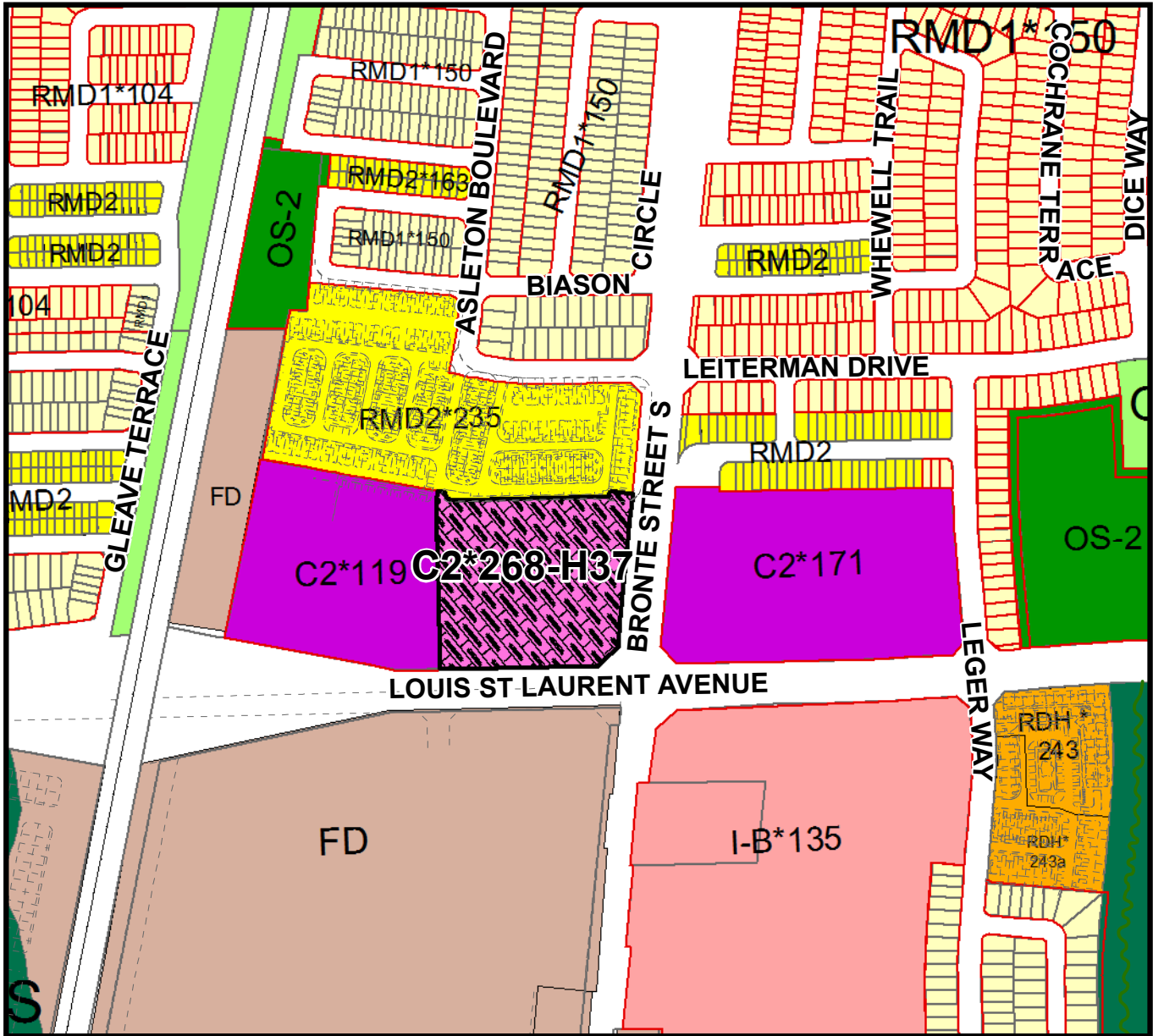
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Gordon A. Krantz Mayor

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Troy McHarg Town Clerk

SCHEDULE A  
 TO BY-LAW No. 079-2019  
 TOWN OF MILTON

PART OF LOT 8 CONCESSION 1 TRAFALGAR

*Town of Milton*



THIS IS SCHEDULE A  
 TO BY-LAW NO. 079-2019 PASSED  
 THIS 12 DAY OF August, 2019.



C2\*268-H37 - Secondary Mixed Use Commercial Zone Special  
 with Holding Provision 37

\_\_\_\_\_  
 MAYOR - Gordon A. Krantz

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 TOWN CLERK - Troy McHarg

