

## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 081-2019

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 DESCRIBED AS PART OF LOT 6, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (PRIMONT HOMES (MILTON) INC.) - File: Z-06/14

**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:

- 1.0 **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing a portion of the existing Future Development (FD) Zone symbol and Natural Heritage System (NHS) Zone symbol to Residential Medium Density 1\*Special Section 273 (RMD1\*273) Zone, Residential Medium Density 2\*Special Section 274 (RMD2\*274) Zone, Mixed Use\*Special Section 275 (MU\*275) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) Zone, and Stormwater Management (OS-2) Zone symbols on the land and adding the Holding (H) symbols H34, H40, H41 and H42 to each of the zone symbols on this property as shown on Schedule A attached hereto.
- 2.0 **THAT** Section 13.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1\*273 as follows:
  - i) Special Site Provisions Applicable to all Grade Related Dwelling Type
    - a. Notwithstanding the definition of lot frontage in Section 3, for the purposes of calculating lot frontage, the lot frontage shall be measured 5.5 metres back from the front lot line.
    - b. Notwithstanding section 5.6.2 iv) (a) the minimum individual driveway width shall be 3.10 metres each with an allowed structural wall/post projection of a maximum 1.0 metre from the garage face into the required driveway width provided that a minimum unobstructed parking width of 2.90 metre is maintained at the encroachment.

- c. In addition to Section 4.19.6 i), for the purposes of determining yards for corner lots with corner daylight radii or daylight triangle, the daylight radii or daylight triangle is deemed not to exist.

**Residential Medium Density 1\*Special (RMD1\*273) Zone**

For lands zoned Medium Density 1\*Special (RMD1-273) Zone, the following provisions apply:

**i) Zone Standards for Detached Dwellings**

- a. Minimum Lot Frontage, Interior Lot – 9.15 metres
- b. Minimum Rear Yard Setback for Lots 7, 30, 31, 46, 57, 60-63, 68, 92-95 and 103 on the draft plan 24T-14004/M dated in the title box as June 24, 2019 – 6.5 metres
- c. Notwithstanding the Zone Regulations of Section 6.3.1.1 iii) -iv), the dwellings on lots 9-15, 18-23, 30-33, 35, 36, 38-40, 48, 49, 52-54, 72-79, 93-99, 104-106 on the draft plan 24T-14004/M dated in the title box as June 24, 2019, shall have a minimum dwelling face, which may include the porch/veranda, of 3.4 metres provided that not more than 62.5% of the building face is used for the garage portion of the elevation.
- d. Within a double car garage accessed by one single garage door or two individual garage doors, the combined parking spaces shall have a minimum unobstructed size of 5.5 metre wide by 5.3 metre long by 2.1 metre high.
- e. For the purposes of this By-law, lots abutting a roundabout shall be considered a Corner Lot with the following clarifications:
  - i. The longest lot line not abutting a street is deemed the rear lot line; and
  - ii. The front and exterior side yard setbacks as well as lot frontage and lot depth shall be measured to the hypothetical extensions of the respective lot lines.

**ii) Zone Standards for Townhouse Dwellings**

- a. Notwithstanding Table 6C, Footnote #2 shall be applied to Townhouse Dwellings.

- b. Minimum rear yard setback excluding the garage for Block 141 on the draft plan 24T-14004/M dated in the title box as June 24, 2019 – 6.5 metres

### **Residential Medium Density 2\*Special (RMD2-274) Zone**

For lands zoned Medium Density 2\*Special (RMD2-274) Zone, the following provisions apply:

- i) Zone Standards for Back-To-Back Townhouse Dwellings

Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:

- a. Minimum Front Yard Setback to Building – 3.0 metres
- b. Notwithstanding Table 6D, Footnote #2 shall be applied to Back-to-Back Townhouse Dwellings.
- c. Notwithstanding Section 4.19.5 i), Stairs shall be located a minimum of 0.9 metres away from the property line measured to the first riser, with no part of the landing any closer than 1.5 metres from the property line.
- d. Notwithstanding Section 6.3.2.1, air conditioners and heat exchange units may also be located in a front yard or exterior side yard, as well as located on a balcony in the front or exterior side yard.
- e. Notwithstanding Section 5.6.2 iii), to the contrary, for corner lots at the intersection of two (2) local public streets, no part of any residential driveway shall be located closer than 4.5 metres from the point of intersection of the two local street lines.

### **Mixed Use\*Special (MU\*275) Zone**

For lands zoned Mixed Use\*Special (MU\*275) Zone, the following provisions apply:

- i) **Special Zone Standards for Residential and Mixed Use Buildings**

- a. **Setbacks to All Other Zones and Grade-Related Dwellings:**
  - 1. Above 10.5 metres in height, not abutting grade-related dwellings – 7.5 metres
  - 2. No part of any building abutting grade-related dwelling unit(s) may project above a 45 degree angular plane measured at a

height of 10.5 metres and a distance of 7.5 metres from the abutting lot line

3. For buildings abutting grade related dwelling unit(s) where there is no property line, 7.5 metres plus the typically required yard setback for the grade related dwelling unit(s) is required.

- b. Podium – A 2-4 storey podium is required.
- c. Stepback - A step back in the building above the podium is required.
- d. Transition - For a building located within 50 metres of Britannia Road and located directly adjacent to an NHS Zone, the building will transition down in height towards the NHS zone boundary.
- e. For any building located directly adjacent to an NHS Zone and which the longest building façade directly faces a NHS Zone, the provisions for a podium and stepback will not apply.
- f. Maximum building height – 10 storeys to a maximum of 35.0 metres.

- 3.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H40 Holding Provision:

“H40” shall not be removed until:

- a) Regional Servicing Allocation has been secured to the satisfaction of Halton Region and the Town of Milton.

- 4.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H41 Holding Provision:

“H41” shall not be removed until:

- a) The stormwater management pond and associate outfall structure has been sized and designed to the satisfaction of the Town of Milton and Conservation Halton; and
- b) The Town of Milton is satisfied through detailed design that there is adequate lands for the grading requirements and development of the proposed trail along the limits of development located to the east of these lots along 16 Mile Creek.

- 5.0 **THAT** Section 13.2 of By-law 016-2014, is amended by adding the following conditions for removal of this H42 Holding Provision:

“H42” shall not be removed until:

- a) The Town of Milton is satisfied through detailed design that there is adequate lands for the grading requirements and development of the proposed trail along the limits of development located to the east of these lots along 16 Mile Creek.

6.0 **THAT** Section 13.2 is amended by adding subsection 13.2.1.79 as follows:

For the lands zoned a site-specific Residential Medium Density 1\*Special Section 273 (RMD1\*273) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H34” until the conditions for removal identified in the “H34” Holding provision are satisfied.

7.0 **THAT** Section 13.2 is amended by adding subsection 13.2.1.80 as follows:

For the lands zoned a site-specific Mixed Use\*Special Section 275 (MU\*275) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the Blocks covered by “H40” until the conditions for removal identified in the “H40” Holding provision are satisfied.

8.0 **THAT** Section 13.2 is amended by adding subsection 13.2.1.81 as follows:

For the lands zoned a site-specific Residential Medium Density 1\*Special Section 273 (RMD1\*273) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H41” until the conditions for removal identified in the “H41” Holding provision are satisfied.

9.0 **THAT** Section 13.2 is amended by adding subsection 13.2.1.82 as follows:

For the lands zoned a site-specific Residential Medium Density 1\*Special Section 273 (RMD1\*273) on the property legally described as Part of Lots 6, Concession 3, N.S. (Trafalgar), only legally established existing uses are permitted on the lots covered by “H42” until the conditions for removal identified in the “H42” Holding provision are satisfied.

10.0 **THAT** the Owner be permitted to apply for a Minor Variance Application(s) to the Town and/or the Town of Milton Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

10.0 **THAT** pursuant to Section 34(21) of the Planning Act, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to Subsection 34(19) of the Planning Act, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as amended, this Zoning By-law Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Local Planning Appeal Tribunal.

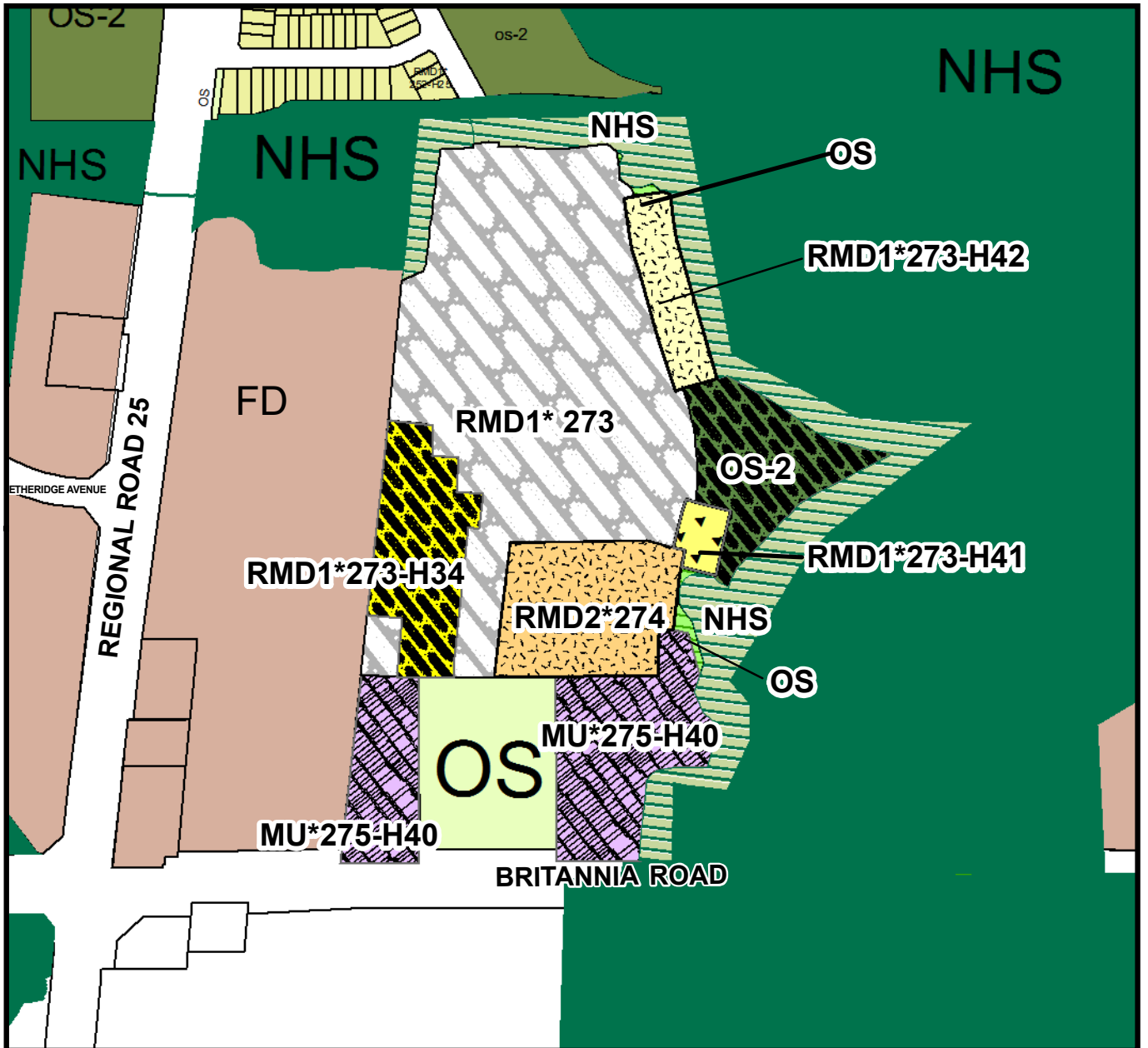
**PASSED IN OPEN COUNCIL ON AUGUST 12, 2019.**

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

\_\_\_\_\_ Town Clerk  
Troy McHarg

SCHEDULE A  
TO BY-LAW No. 081-2019  
TOWN OF MILTON










PART OF LOT 6, CONCESSION 3 NS PART 1 OF RP 20R18982 & PART 1 OF 20R18924  
*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. 081-2019 PASSED  
THIS 12 DAY OF AUGUST, 2019.

MAYOR - Gordon A. Krantz

CLERK - Troy McHarg

-  OS - Open Space Zone
-  OS-2 - Open Space 2 Zone
-  NHS - Natural Heritage System Zone
-  RMD1\*273 - Medium Density Residential 1 Zone Special
-  RMD1\*273-H41 - Medium Density Residential 1 Zone Special
-  RMD1\*273-H42 - Medium Density Residential 1 Zone Special
-  RMD1\*273-H34 - Medium Density Residential 1 Zone Special
-  RMD2\*274 - Medium Density Residential 2 Zone Special
-  MU\*275-H40 - Mixed Used Zone Special with Holding Provision