

## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 025-2021

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 7, CONCESSION 5, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MATTAMY (BROWNRIDGE) LIMITED) - FILE: Z-01/20

**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 is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) Zone symbols to the Residential Medium Density 1 - Special Section (RMD1\*283) Zone, Residential Medium Density 2 - Special Section (RMD2\*284) Zone, Natural Heritage System (NHS) Zone, Open Space (OS) and Open Space 2 (OS-2) Zone and adding the Holding (H) symbols H45, H46, H47, to each of the zone symbols on this property as shown on Schedule A.

**2.0 THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.1.87 to read as follows:

For lands with Holding Provision H45, the H45 Holding Provision shall apply and shall not be removed until the development to the north proceeds and/or the temporary cul-de-sac is no longer required to the satisfaction of the Town of Milton.

**3.0 THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.1.88 to read as follows:

For lands with Holding Provision H46, the H46 Holding Provision shall apply and shall not be removed until such time as the development to the south proceeds and/or the temporary access road is no longer required to the satisfaction of the Town of Milton.

**4.0 THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.1.89 to read as follows:

For lands with Holding Provision H47, the H47 Holding Provision shall apply and shall not be removed until such time as the required noise mitigation measures have been finalized to the satisfaction of the Town of Milton and the Region of Halton.

**5.0 THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.283 as follows:

**Residential Medium Density 1 - Special Section 283 (RMD1\*283) Zone**

- i) Special Site Provisions Applicable to All Dwelling Types
- ii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access (All Types) the following shall apply:
  - a. In the case of a staggered double car garage:
    - i. One garage is permitted to have a minimum setback of 2.0 metres to the front lot line providing that the second garage has a minimum setback of 5.5 metres to the front lot line.
    - ii. On lots having frontage less than or equal to 11.5 metres the driveway width shall not exceed 6.6 metres.
  - b. Notwithstanding Section 4.19.5, Table 4H, porches/verandas encroaching into the required interior side yard are permitted to be located 0.9 metres to the interior side lot line.
  - c. Where located on top of a porch/veranda, balconies are permitted to encroach into the required interior side yard and shall be provided in accordance with b) above.
  - d. Notwithstanding any regulation of this By-law to the contrary, on any lot where a residential driveway enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the street line, the residential driveway edge and the line connecting them at points 1.0 metres from their intersection.
  - e. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
- iii) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Interior Lot:
  - a. Lot frontage (minimum), interior lot – 9.15 metres
  - b. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 60% of the building face is used for the garage portion of the elevation.
  - c. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, provided the garage face does not project further than 1.83m beyond the porch.
- iv) Notwithstanding any provisions to the contrary, for Detached Dwelling – Street Access, Corner Lot, the following shall apply:
  - a. For the lot at the southeast corner of Street B and Fourth Line

(Beaty Heritage House), the following provisions shall apply:

- i. The lot line abutting Street B shall be the front lot line.
- b. Where a garage is accessed by a residential driveway crossing the exterior side lot line:
  - i. An attached garage may be located no closer than 0.6 metres from the rear lot line.
  - ii. Air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however such units are not permitted to encroach into the exterior side yard.
  - iii. Fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line, and the residential driveway.
- c. At the intersection of two local streets:
  - i. The outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
  - ii. No part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- d. Notwithstanding Section 6.3.1.1, the dwelling shall have a minimum dwelling face, which may include the porch/veranda, of 3.3 metres provided that no more than 62% of the building face is used for the garage portion of the elevation.
- e. Notwithstanding Section 6.3.1.1, in the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 metres, and the garage portion of the elevation may project no further than 1.83 metres beyond the dwelling face or porch/veranda portion of the elevation.
- f. For the purposes of this By-law, where the front, exterior side, or rear lot line of a corner lot has a curved radius or a visibility triangle, for the purposes of determining lot frontage, depth, and setbacks, the radius or triangle shall be deemed not to exist and the lot frontage, depth, and setbacks will be measured to a projected extension of the straight segment.
- v) Notwithstanding any provisions to the contrary, for Townhouse Dwelling – Street Access, the following shall apply:
  - a. Minimum Exterior Side Yard (corner unit): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide

- b. At the intersection of two local streets, no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
- c. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.

**6.0 THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.284 as follows:

**Residential Medium Density 2 - Special Section 284 (RMD2\*284) Zone**

- i) Notwithstanding any provisions to the contrary, for Back to Back Townhouse Dwellings, the following shall apply:
  - a. Minimum Lot frontage (corner unit): 8.0 metres
  - b. Minimum Front yard setback (all unit types): 2.0 metres to building
  - c. Minimum Exterior yard setback (corner lot): 2.0 metres to building if the yard abuts a right-of-way of less than 18.0 metres wide.
  - d. The minimum required outdoor amenity area per unit is 6 m<sup>2</sup>, to be provided on a balcony.
  - e. Porches/verandas and balconies are permitted to be located no closer than 1.0 metre to a street line.
  - f. For a corner unit at the intersection of two local streets:
    - i. the outside of the garage door shall not be located any closer than 5.4 metres from the corner rounding.
    - ii. no part of any residential driveway shall be located closer than 4.7 metres from the point of intersection of the two street lines.
  - g. Notwithstanding Section 5.6.2 iv) d) A), a maximum driveway width of 3.5 metres shall be permitted for lots with frontage less than or equal to 6.5 metres.
  - h. For units that do not have an interior side yard, air conditioning and heat exchange units may be located in a required front or exterior side yard and are permitted to be located no closer than 0.6 metres to a front or exterior side lot line.
  - i. Bay or boxed windows may encroach into a required yard up to a maximum of 0.6 metres for a width of up to 4.0 metres.
  - j. For the purposes of this By-law, where the front or exterior side lot line of a corner lot has a curved radius or a visibility triangle, for the purposes of determining lot frontage, depth, and setbacks, the radius or triangle shall be deemed not to exist and the lot

frontage, depth, and setbacks will be measured to a projected extension of the straight segment.

**7.0 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 APRIL 12, 2021.**

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Gordon A. Krantz Mayor

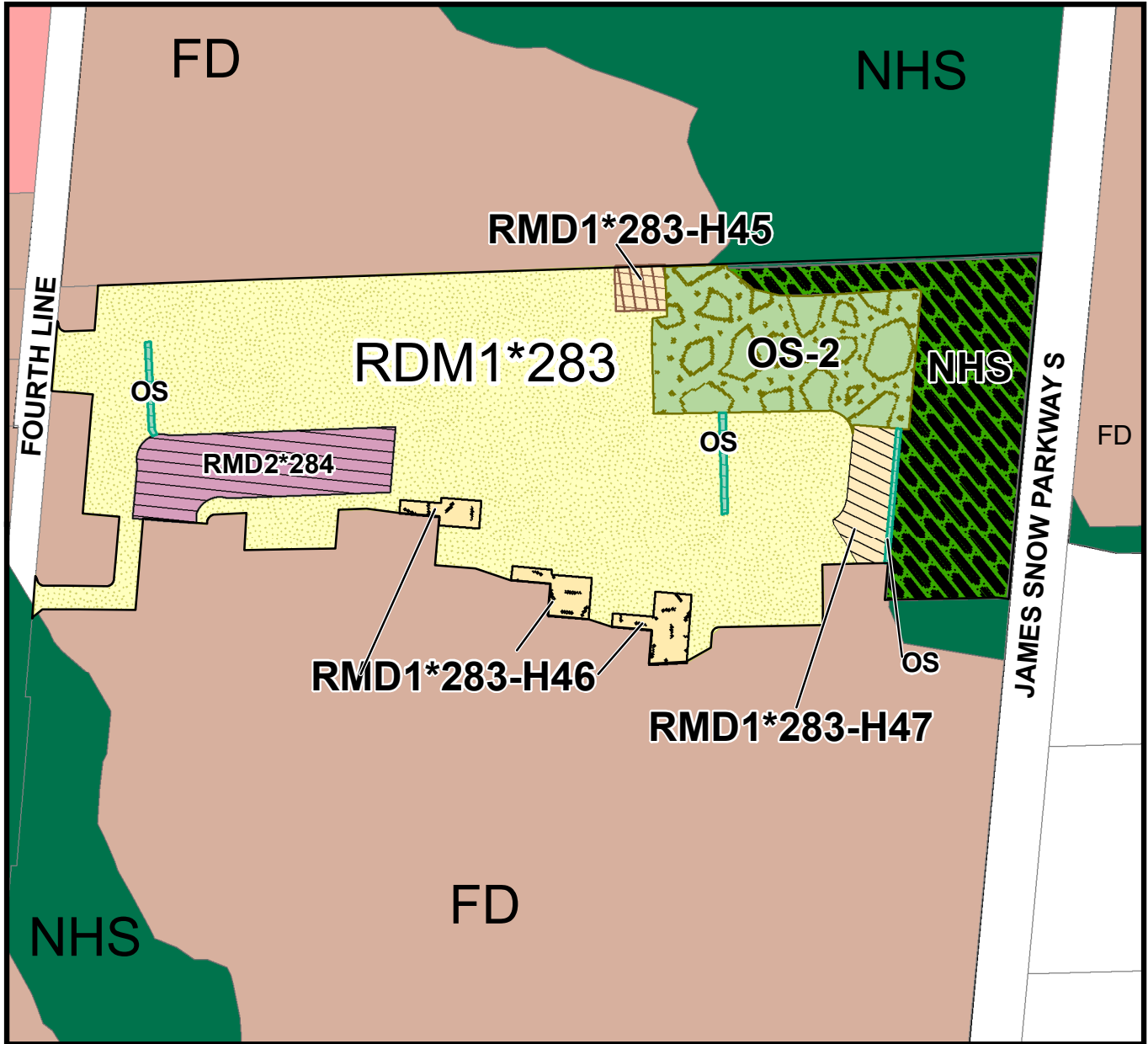
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Meaghen Reid Town Clerk

SCHEDULE A  
TO BY-LAW No025-2021

TOWN OF MILTON

PART LOT 7 CONCESSION 5 TRAFALGAR NEW SURVEY &  
PART OF PART 1 RP 20R8701 & PART 2 RP 20R17505









Town of Milton



THIS IS SCHEDULE A  
TO BY-LAW NO. 025-2021 PASSED  
THIS 12 DAY OF April, 2021.

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

-  RMD1\*283 - Medium Density Residential 1 Zone Site Specific
-  RMD1\*283-H45 - Medium Density Residential 1 Zone Site Specific with Holding Provision 45
-  RMD1\*283-H46 - Medium Density Residential 1 Zone Site Specific with Holding Provision 46
-  RMD1\*283-H47 - Medium Density Residential 1 Zone Site Specific with Holding Provision 47
-  RMD2\*284 - Medium Density Residential 2 Zone Site Specific
-  NHS - Natural Heritage System
-  OS - Open Space Zone
-  OS-2 - Open Space 2 Zone

