

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 075-2021

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 LOT 13, CONCESSION 3, TOWN OF MILTON IN THE REGIONAL MUNICIPALITY OF HALTON AND MUNICIPALLY KNOWN AS 101 NIPISSING ROAD, (FERNBROOK HOMES (MILTON GO) CONSTRUCTION LTD.) TOWN FILE:- Z-02/19

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 the By-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment Number 68;

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, as amended, is hereby further amended by changing the existing Urban Growth Centre Mixed Use (UGC-MU) Zone symbols to a new site-specific Urban Growth Centre Mixed Use (UGC-MU*298-H54) with a Holding Zone symbol on the land shown on Schedule A attached hereto.
2. **THAT** Schedule D to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Maximum Building Height to 19 storeys on the land shown on Schedule B attached hereto.
3. **THAT** Section 13.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.298 as follows:

Urban Growth Centre Mixed Use – Special Section (UGC-MU*298-H54) Zone

i) **Special Site Provisions:**

Notwithstanding any provisions of the by-law to the contrary, the following provisions shall apply:

- a) For the purpose of this By-law, floor plate area means:

The gross horizontal floor area of a single floor measured from all the exterior walls of a building or structure excluding balconies

- b) A minimum of 4 square metres of outdoor communal amenity space per apartment dwelling unit and stacked townhouse dwelling unit shall be provided at grade and/or as a rooftop amenity area on the podium and shall be maintained and operated by a common entity (such as a condominium corporation).
- c) Despite any provisions to the contrary, more than one residential building is permitted on the lot.

ii) **Zone Standards:**

- a) The maximum number of residential units for all phases combined shall total 677;
- b) The maximum floor space index shall be 4.73;
- c) The maximum lot coverage shall be 70%;
- d) The required rail corridor setback shall be 19.2 metres for dwelling units;
- e) The required rail corridor setback shall be 0.4 metres for the parking structure;
- f) The minimum rear yard setback shall be 0.4 metres;
- g) The maximum front yard setback for storeys above the fifth floor shall be 5 metres;
- h) The minimum street line setback for the underground parking structure shall be 0.78 metres;
- i) The minimum setback to any other lot line for the underground parking structure shall be 0.50 metres;
- j) The minimum interior yard setback shall be 0.24 metres;
- k) The maximum permitted height shall be 19 storeys (60.1 metres);
- l) Parking shall be required at a rate of 1.0 space per unit plus 0.23 visitor parking spaces per unit;
- m) Notwithstanding the provisions of Section 5.10.v) of Zoning By-law 016-2014 to the contrary, a minimum of 10 bicycle parking spaces shall be located outside of the building.
- n) That the loading bay door dimensions shall be 6 metres x 4.5 metres; and,
- o) Where there is more than one apartment building, the minimum separation between towers shall be 25 metres measured from the face of the building, excluding balconies.
- p) Any portion of the building between a height of 8 stories and 15 stories, must not exceed a floor plate area of 1000 square metres or 40 linear metres measured diagonally on the development site. Above the 15th storey, the floorplate should be less than 750sq.m or 40 linear metres measured diagonally

4. **THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.1.97 to read as follows:

For lands with Holding Provision H54, the H54 Holding Provision shall apply and shall not be removed until:

- a) The Owner has made site plan application, including detailed design drawings and has entered into a site plan agreement to the satisfaction of the Town of Milton.
 - b) The Owner has submitted, to the satisfaction of the Region of Halton, a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition for the subject lands, which demonstrate that the lands are free and clear for their intended use.
5. **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 Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of the passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part of 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 AUGUST 2021

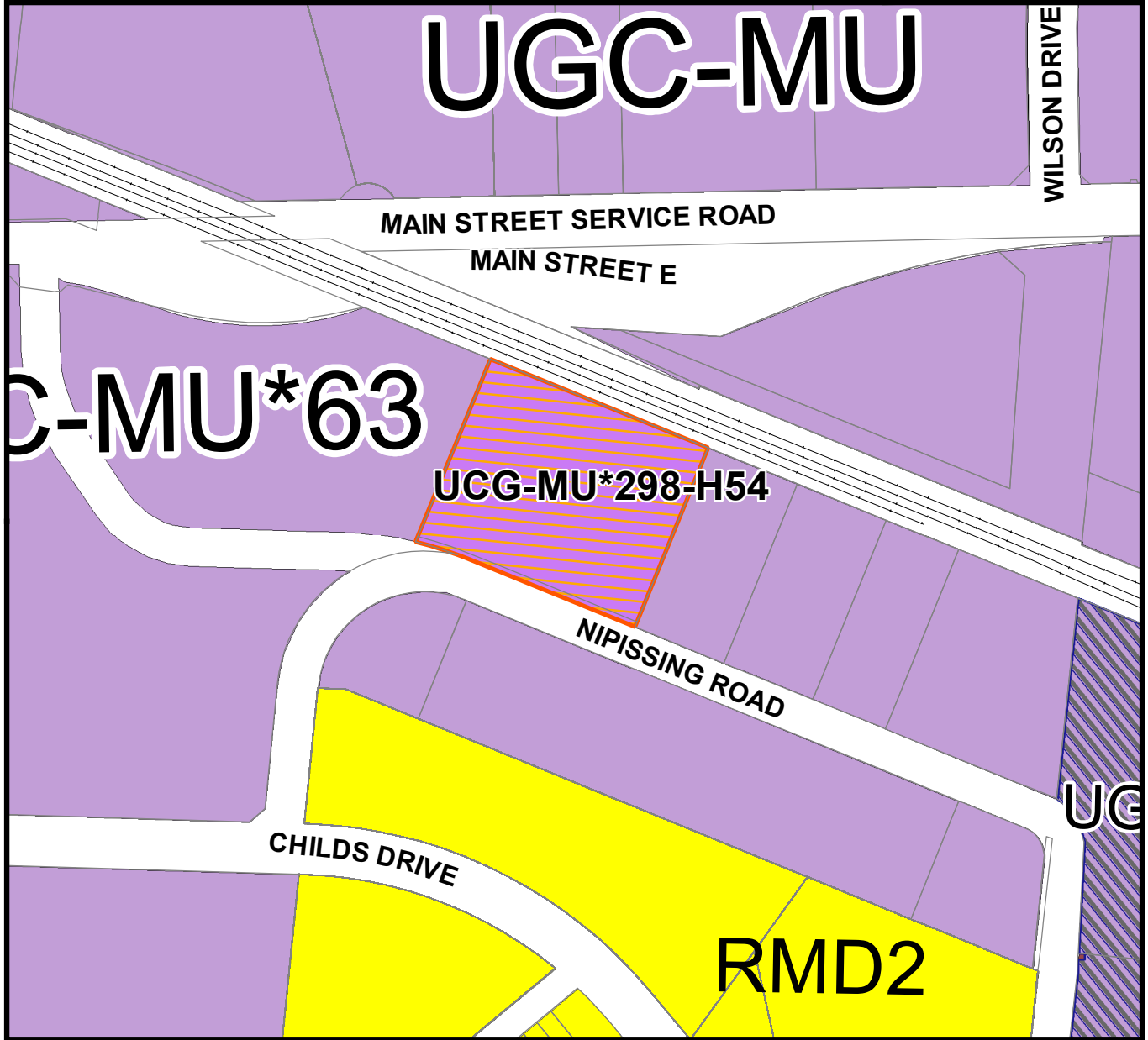
Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

SCHEDULE A
TO BY-LAW No. 075-2021
TOWN OF MILTON

PART LOT 13 CONCESSION 3 TRAFALGAR NEW SURVEY

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. 075-2021 PASSED
THIS 23 DAY OF AUGUST, 2021.



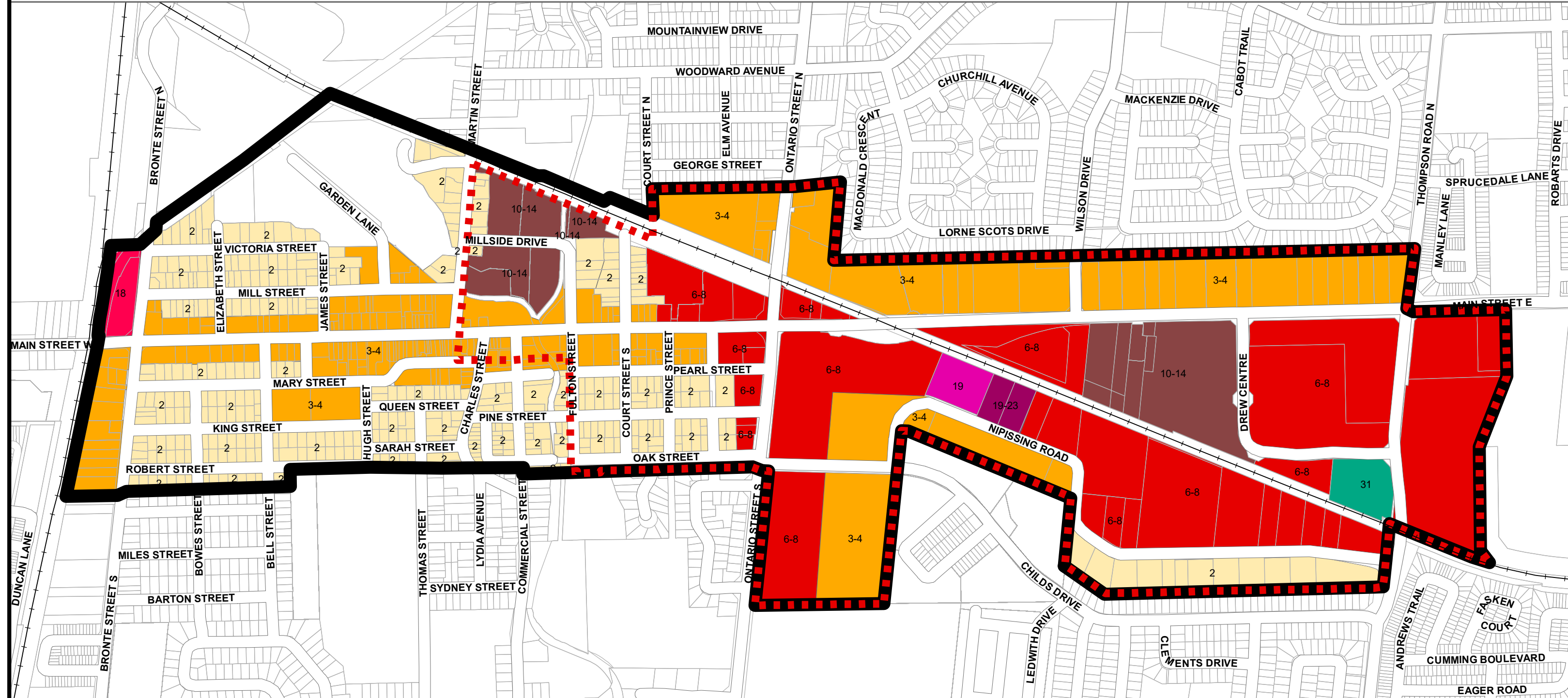
UGC-MU*298-H54 - Urban Growth Centre Mixed-Use Zone
Special with Holding Provision 54

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid


SCHEDULE D

Central Business District - Building Heights



Town of Milton
Zoning By-law 016-2014
(HUSP Urban Area)


Date: July 12, 2021


 Max 2 Storeys; height in accordance with the provisions of Table 6B


 Min 3 Storeys and 10.5m
Max 4 Storeys and 16.5m


 Min 6 Storeys and 19.5m
Max 8 Storeys and 29m


 Min 10 Storeys and 31.5m
Max 14 Storeys and 42m

 Max 18 Storeys

 Max 19 Storeys

 Min 19 Storeys and Max 23 Storeys

 Max 31 Storeys

 Central Business District

 Urban Growth Centre

