

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 077-2021

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 ALL LANDS WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-07/21)

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 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 the existing Residential Low Density (RLD) zone symbol in certain areas with a Residential Low Density II (RLD2), Residential Low Density III (RLD3), Residential Low Density IV (RLD4), Residential Low Density II – Special Section RLD2*299, Residential Low Density III – Special Section RLD3*300, Residential Low Density III – Special Section RLD3*301, and Residential Low Density IV – Special Section RLD4*302 zone symbols, and changing the existing Residential Medium Density I (RMD1) zone symbol in certain areas with a Residential Medium Density 1 – Special Section RMD1*303 zone symbol, as per Schedules A and B attached hereto.
- 2.0** THAT the heading of Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing it with the heading 'Transition: Interim Control By-law NO. 082-2020 Exemption Approval, Site Plan Approval and Building Permit Applications'.
- 3.0** THAT Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection ii) as follows:
ii) Nothing in this By-law shall prevent the erection or *use* of a *building* or *structure* for a development for which a complete application for building permit was filed on or prior to the date of passage of By-law NO. 077-2021, if the development in question complies or the *building* permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021.

4.0 THAT Section 1.11.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding new Subsections iii) and iv) as follows:

iii) Nothing in this By-law shall prevent the issuance of a building permit in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077 -2021 and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Local Planning Appeal Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 077-2021, so long as the complete application for the building permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Local Planning Appeal Tribunal.

iv) Notwithstanding the provisions of Section 1.11.2 iii), an application for minor variance associated with a complete application for exemption to Interim Control By-law NO. 082-2020 or building permit that was filed prior to the date of the passage of By-law NO. 077-2021, can still be made under the provisions of Comprehensive Zoning By-law 16-2014, as amended, as it read on the date of passage of By-law NO. 077-2021.

5.0 THAT Section 1.11.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting Subsection i) and replacing it with the following:

- i) Sections 1.11.2 i), 1.11.3 i) and ii) and 1.11.5 i) are repealed two years from the date of enactment of By-law NO. 081-2020.
- ii) Sections 1.11.1, 1.11.2 ii), 1.11.3 iii) and iv), 1.11.4 and 1.11.5 ii) are repealed two years from the date of enactment of By-law NO. 077-2021.

6.0 THAT the Table of Contents of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following table to the List of Tables:

- TABLE 6B-1 Residential Low Density II (RLD2) Standards
Residential Low Density III (RLD3) Standards
Residential Low Density IV (RLD4) Standards

7.0 THAT Section 2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following zone and associated zone symbol to the Residential Zones column:

- Low Density Residential II Zone (RLD2).
- Low Density Residential III Zone (RLD3).
- Low Density Residential IV Zone (RLD4)

8.0 THAT Section 2.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by deleting Table 2A, and replacing it with the following:

TABLE 2A

STREET NUMBER	STREET NAME	ZONE	STREET NUMBER	STREET NAME	ZONE
C			417	KINGSLEIGH CRT	RLD2*299
95	COMMERCIAL ST	RLD1*279	359	KINGSLEIGH CRT	RLD2*299
96	COMMERCIAL ST	RLD1*279	342	KINGSWAY PLACE	RLD3
98	COMMERCIAL ST	RLD1*279	345	KINGSWAY PLACE	RLD3
99	COMMERCIAL ST	RLD1*279	346	KINGSWAY PLACE	RLD3
104	COMMERCIAL ST	RLD1*279	350	KINGSWAY PLACE	RLD3
106	COMMERCIAL ST	RLD1*279	351	KINGSWAY PLACE	RLD3
107	COMMERCIAL ST	RLD1*279	354	KINGSWAY PLACE	RLD3
111	COMMERCIAL ST	RLD1*279	358	KINGSWAY PLACE	RLD3
123	COMMERCIAL ST	RLD1*279	M		
127	COMMERCIAL ST	RLD1*279	94	MAIDEN LANE	RLD1
H			96	MAIDEN LANE	RLD1
323	HIGHSIDE DR	RLD2	98	MAIDEN LANE	RLD1
329	HIGHSIDE DR	RLD2	640	MARTIN STREET	C5
K			315	MOUNTAINVIEW DR	RLD2
316	KINGSLEIGH CRT	RLD2*299	321	MOUNTAINVIEW DR	RLD2
320	KINGSLEIGH CRT	RLD2*299	322	MOUNTAINVIEW DR	RLD2
324	KINGSLEIGH CRT	RLD2*299	328	MOUNTAINVIEW DR	RLD2
328	KINGSLEIGH CRT	RLD2*299	329	MOUNTAINVIEW DR	RLD2
329	KINGSLEIGH CRT	RLD2*299	332	MOUNTAINVIEW DR	RLD2
332	KINGSLEIGH CRT	RLD2*299	O		
333	KINGSLEIGH CRT	RLD2*299	296	OAK ST	RLD1
336	KINGSLEIGH CRT	RLD2*299	297	OAK ST	RLD1
337	KINGSLEIGH CRT	RLD2*299	R		
340	KINGSLEIGH CRT	RLD2*299	187	RIVERPLACE CRES	RLD2
341	KINGSLEIGH CRT	RLD2*299	194	RIVERPLACE CRES	RLD2
344	KINGSLEIGH CRT	RLD2*299	198	RIVERPLACE CRES	RLD2
345	KINGSLEIGH CRT	RLD2*299	202	RIVERPLACE CRES	RLD2
348	KINGSLEIGH CRT	RLD2*299	203	RIVERPLACE CRES	RLD2
349	KINGSLEIGH CRT	RLD2*299	208	RIVERPLACE CRES	RLD2
352	KINGSLEIGH CRT	RLD2*299	214	RIVERPLACE CRES	RLD2
353	KINGSLEIGH CRT	RLD2*299	219	RIVERPLACE CRES	RLD2
356	KINGSLEIGH CRT	RLD2*299	220	RIVERPLACE CRES	RLD2
357	KINGSLEIGH CRT	RLD2*299	223	RIVERPLACE CRES	RLD2
359	KINGSLEIGH CRT	RLD2*299	224	RIVERPLACE CRES	RLD2
360	KINGSLEIGH CRT	RLD2*299	228	RIVERPLACE CRES	RLD2
364	KINGSLEIGH CRT	RLD2*299	232	RIVERPLACE CRES	RLD2
368	KINGSLEIGH CRT	RLD2*299	233	RIVERPLACE CRES	RLD2
376	KINGSLEIGH CRT	RLD2*299	S		
380	KINGSLEIGH CRT	RLD2*299	294	STEELES AVE.	RLD2*299
381	KINGSLEIGH CRT	RLD2*299	300	STEELES AVE.	RLD2*299
384	KINGSLEIGH CRT	RLD2*299	304	STEELES AVE.	RLD2*299
388	KINGSLEIGH CRT	RLD2*299	W		
392	KINGSLEIGH CRT	RLD2*299	291	WOODWARD AVE	RLD1*280
396	KINGSLEIGH CRT	RLD2*299	292	WOODWARD AVE	RLD1*280
400	KINGSLEIGH CRT	RLD2*299	315	WOODWARD AVE	RLD2
404	KINGSLEIGH CRT	RLD2*299	316	WOODWARD AVE	RLD2
413	KINGSLEIGH CRT	RLD2*299			

- 9.0** THAT Section 4.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 4A as follows:
- The heading 'RLD, RLD1' is replaced by the heading 'RLD, RLD1, RLD2, RLD3, RLD4'.
- 10.0** THAT Section 4.2.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection as follows:
- vi) *Attached and detached garages and carports* in the RLD1, RLD2, RLD3 and RLD4 zones are also subject to the provisions of Section 6.3.
- 11.0** THAT Section 4.3.1 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 4D as follows:
- 'RLD2, RLD3 and RLD4' are added to the list of zones in the table.
- 12.0** THAT Sections 5.6.2 ii), iv) a), and iv) b) of Comprehensive Zoning By-law 016-2014, as amended is hereby further amended as follows:
- 'RLD2, RLD3 and RLD4' are added between 'RLD1 and 'RMD1'.
- 13.0** THAT Section 6.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 6A as follows:
- The existing RLD and RLD1 zones and the new 'RLD2, RLD3 and RLD4' zones are grouped into a single column; and
 - A bullet point (•) is added to the table under the column 'RLD, RLD1, RLD2, RLD3, RLD4' in the rows containing 'Dwelling, Detached', 'Dwelling, Duplex', 'Dwelling, Semi-detached', 'Shared Housing', 'Home Day Care' and 'Home Occupation'.
- 14.0** THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Table 6B-1, as follows:

TABLE 6B-1

Regulations	ZONES								
	RLD2			RLD3			RLD4		
	Residential Low Density II			Residential Low Density III			Residential Low Density IV		
	Dwelling Type			Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	Corner Lot		Interior Lot	
Lot Frontage (Minimum)	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
Lot Depth (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
Lot Area (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Lot Coverage (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
Front Yard Setback (Minimum)	6.5m (*3)	6.5m (*3)	6.5m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)	7.0m (*3)
Interior Side Yard Setback (Minimum)	(*4) (*7)	0.0m	0.0m on one side, other side subject to (*4) (*8)	(*5) (*7)	0.0m	0.0m on one side, 1.8m on the other side (*8)	(*6) (*7)	0.0m	0.0m on one side, 1.8m on the other side (*8)
Exterior Side Yard Setback (Minimum)	3.5m	3.5m	N/A	4.0m	4.0m	N/A	4.0m	4.0m	N/A
Rear Yard Setback (Minimum)	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
Building Height (Maximum)	(*9)	(*9)	(*9)	(*9)	(*9)	(*9)	(*10)	(*10)	(*10)
Number of Storeys (Maximum)	2	2	2	2	2	2	2	2	2
Landscaped Open Space (Minimum)	30%	30%	30%	30%	30%	30%	30%	30%	30%

Footnotes for Table 6B-1:

(*1) Shall be subject to the provisions of Section 6.3.3 of this By-law.

(*2) See Table 6B-1 (I) below for maximum permitted *lot coverage*.

Table 6B-1 (I)

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m ²	30% *
660 – 830 m ²	25% **
Greater than 830 m ²	20% ***

* Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.5% provided there is no *gross floor area* or *amenity area* located above.

** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.25% provided there is no *gross floor area* or *amenity area* located above.

*** Covered porch area may exceed the maximum *Lot Coverage* to a maximum of 1.0% provided there is no *gross floor area* or *amenity area* located above.

(*3) In the case of an addition to an existing building, the minimum required *front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law 077-2021 or the minimum *front yard setback* required for the parent zone, whichever is less restrictive.

(*4) Minimum *interior side yard*:

With attached *garage* or *carport*:

- i) 1.2m for one-storey *dwelling*s and 1.8m for two-storey *dwelling*s, where the *lot frontage* is less than 15m.
- ii) 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
- iii) 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.
- iv) 5.0m, where the *lot frontage* is equal to, or greater than, 30m.

(*5) Minimum *interior side yard*:

With attached *garage* or *carport*:

- i) 1.2m on one side of the lot and 1.8m on the other side for one-storey *dwelling*s and 1.8m on both sides of the lot for two-storey *dwelling*s, where the *lot frontage* is less than 20m.
- ii) 1.8m on one side of the lot and 2.4m on the other side, where the *lot frontage* is equal to, or greater than 20m.

(*6) Minimum *interior side yard*:

With attached *garage* or *carport*:

- i) 1.2m on one side of the lot and 1.8m on the other side.

(*7) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of:

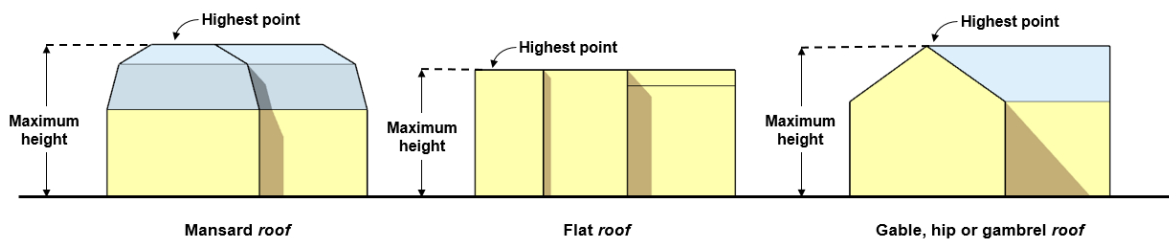
- i) 3.5m, where the *lot frontage* is less than 30m.
- ii) 5.0m, where the *lot frontage* is equal to, or greater than, 30m.

(*8) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* shall be 0.0m on one side and a minimum of:

- i) 3.5m on the other side, where the *lot frontage* is less than 30m.
- ii) 5.0m on the other side, where the *lot frontage* is equal to, or greater than, 30m.

- (*9) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 7.5m in the case of a flat *roof*; measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
 - ii) 9.0m in the case of a gable, hip, gambrel or mansard *roof*; measured from the *established grade* to the uppermost point of the *roof* surface.
- (*10) Notwithstanding any provisions of the By-law to the contrary, the maximum building height shall be:
- i) 8.0m in the case of a flat *roof*; measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater.
 - ii) 9.5m in the case of a gable, hip, gambrel or mansard *roof*; measured from the *established grade* to the uppermost point of the *roof* surface.

ILLUSTRATION OF BUILDING HEIGHT IN THE RLD2, RLD3, and RLD4 ZONES



NOTE:

The above illustration is for clarification and convenience only and does not form part of this By-law.

15.0 THAT Section 6.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection 6.3.3 as follows, and renumbering the subsequent sections accordingly:

6.3.3 Street Front Treatment of Residential *Buildings* in the RLD2 zone

All residential *buildings* in the RLD2 zone must comply with the following *street* front treatment provisions:

- i) The *dwelling face* must be a minimum of 50% of the *building face*.
- ii) In addition to the requirements of Section 4.2.2, the following additional regulations shall apply to *attached* and *detached garages* and *carports*:
 - a. For *attached garages*, the *garage face* may extend beyond the *building front wall* of the first storey by a maximum of 1.8 metres provided that a front *porch/veranda* is constructed with a minimum depth of 1.2 metres.
 - b. For *detached garages* and *attached* or *detached carports*, the *garage face* or front of the *carport* shall be setback a minimum of 1.5 metres from the *building front wall*.

16.0 THAT Subsection 13.1.1.134 of Comprehensive Zoning By-law 016-2014, as amended, are hereby further amended as follows:

- The zone 'RLD' is replaced by the zone 'RLD3*XX'.

17.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

13.1.1.299		RLD2	*299
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
i) Zone Standards			
a) Minimum <i>Front Yard Setback</i> :			
i) For lots with frontage on Ontario Street North: 4.0m			
ii) All other lots: 7.5m			
iii) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i> , whichever is less restrictive.			

18.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.XXX, as follows:

13.1.1.300		RLD3	*300
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:			
i) Zone Standards			
a) Minimum <i>Front Yard Setback</i> : 7.5m			
b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i> , whichever is less restrictive.			
ii) Special Regulations for garages and carports:			
a) Provisions of Section 6.3.3 shall apply.			

19.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.XXX, as follows:

13.1.1.301		RLD3	*301
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Various properties within mature neighbourhood areas
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>iii) Zone Standards</p> <p>a) Minimum <i>Front Yard Setback</i>: 10.0m</p> <p>b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p> <p>iv) Special Regulations for garages and carports:</p> <p>a) Provisions of Section 6.3.3 shall apply.</p>

20.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

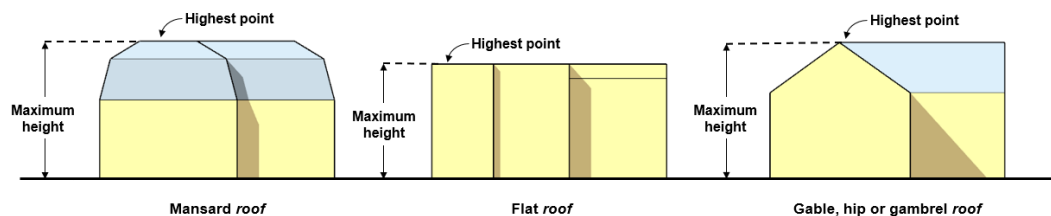
13.1.1.302		RLD4	*302
Various properties within mature neighbourhood areas			
<p>Notwithstanding the provisions of Section 6.2 Table 6B-1 to the contrary, the following provisions shall apply:</p> <p>ii) Zone Standards</p> <p>a) Minimum <i>Front Yard Setback</i>: 7.5m</p> <p>b) In the case of an addition to an existing building, the <i>minimum front yard setback</i> shall be equal to the <i>front yard setback</i> legally existing on the effective date of By-law 077-2021 or the minimum required <i>front yard setback</i>, whichever is less restrictive.</p>			

21.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.X, as follows:

13.1.1.303		RMD1	*303
Various properties within mature neighbourhood areas			
<p>Notwithstanding the provisions of Section 6.1 Table 6A to the contrary, the following provisions shall apply:</p> <p>i) Excluded Uses: Triplex dwellings and Quattroplex Dwellings.</p> <p>ii) Zone Standards</p> <p>a) Minimum <i>Front Yard Setback</i>:</p> <p>i) For lots with frontage on Laurier Avenue: 7.5m</p> <p>ii) All other lots: 7.0m</p>			

- iii) In the case of an addition to an existing building, the *minimum front yard setback* shall be equal to the *front yard setback* legally existing on the effective date of By-law 077-2021 or the minimum required *front yard setback*, whichever is less restrictive.
- b) **Maximum Height:** 2 storeys to a maximum of:
 - i) 8.0m in the case of a flat roof; measured from the *established grade* to the uppermost point of the *roof surface* or parapet, whichever is greater; and
 - ii) 9.5m in the case of a gable, hip, gambrel or mansard roof; measured from the *established grade* to the uppermost point of the *roof surface*.

ILLUSTRATION OF BUILDING HEIGHT IN THE RMD1*X ZONE



NOTE:

The above illustration is for clarification and convenience only and does not form part of this By-law.

22.0 THAT property Owners 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 By-law NO. 077-2021 comes into effect, to permit minor adjustments to the implementing Zoning By-law.

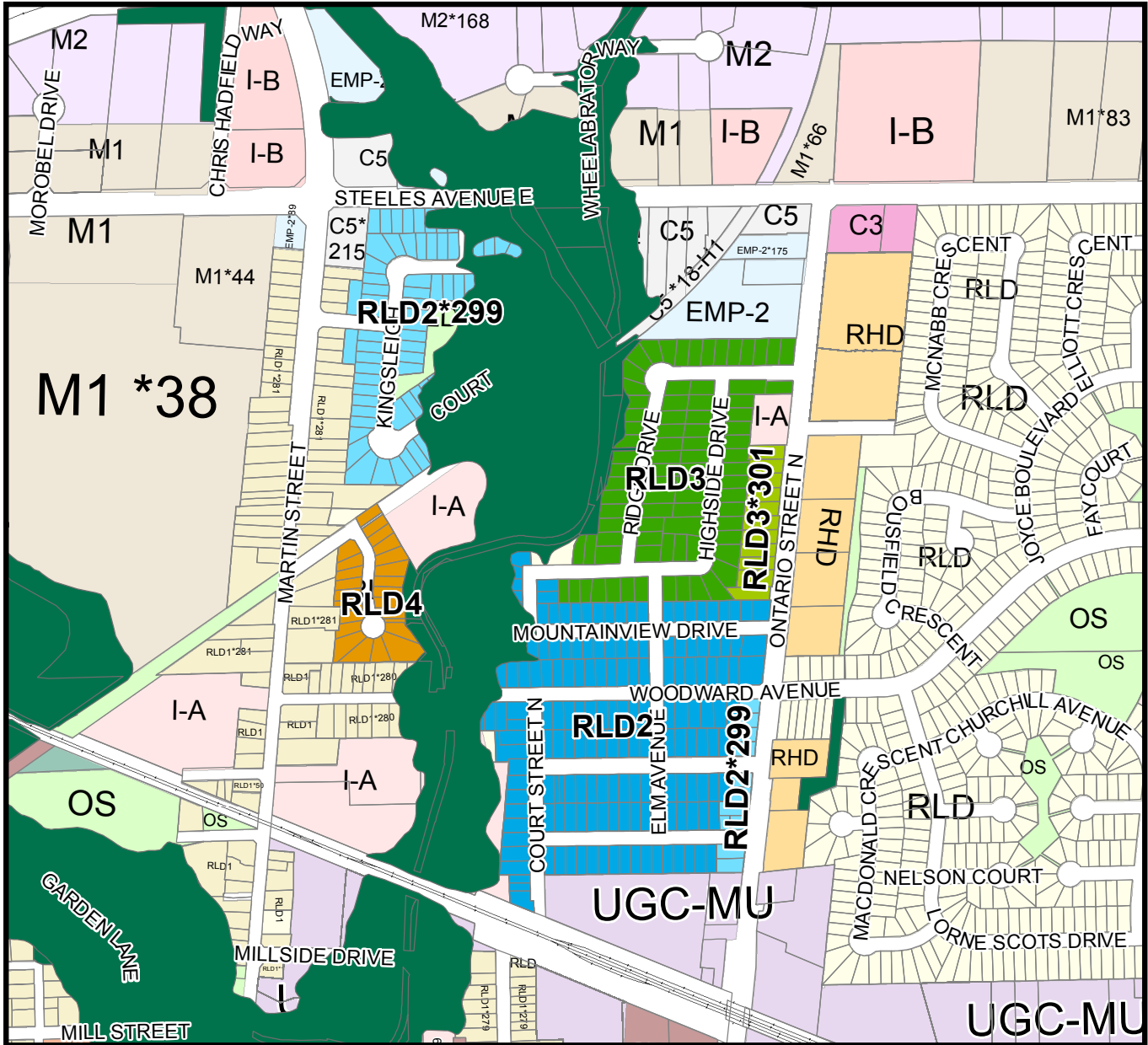
23.0 THAT if no appeal is filed pursuant to Section 34 (19) of the Planning act, RSO 1990, c. P13, as amended, or if an appeal is filed and the Local Planning Appeal Tribunal dismisses the appeal, this By-law shall come into force upon the day which the Ontario Land Tribunal amends the By-law pursuant to Section 34 (26) of the Planning Act, as amended, the part or parts so amended come into force upon the day of of the Tribunal’s Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON AUGUST 23, 2021.

_____ Mayor
Gordon A. Krantz

_____ Town Clerk
Meaghen Reid

SCHEDULE A
 TO BY-LAW No. 077-2021
 TOWN OF MILTON



THIS IS SCHEDULE A
 TO BY-LAW NO. 077-2021 PASSED
 THIS 23 DAY OF AUGUST, 2021

MAYOR - Gordon A. Krantz

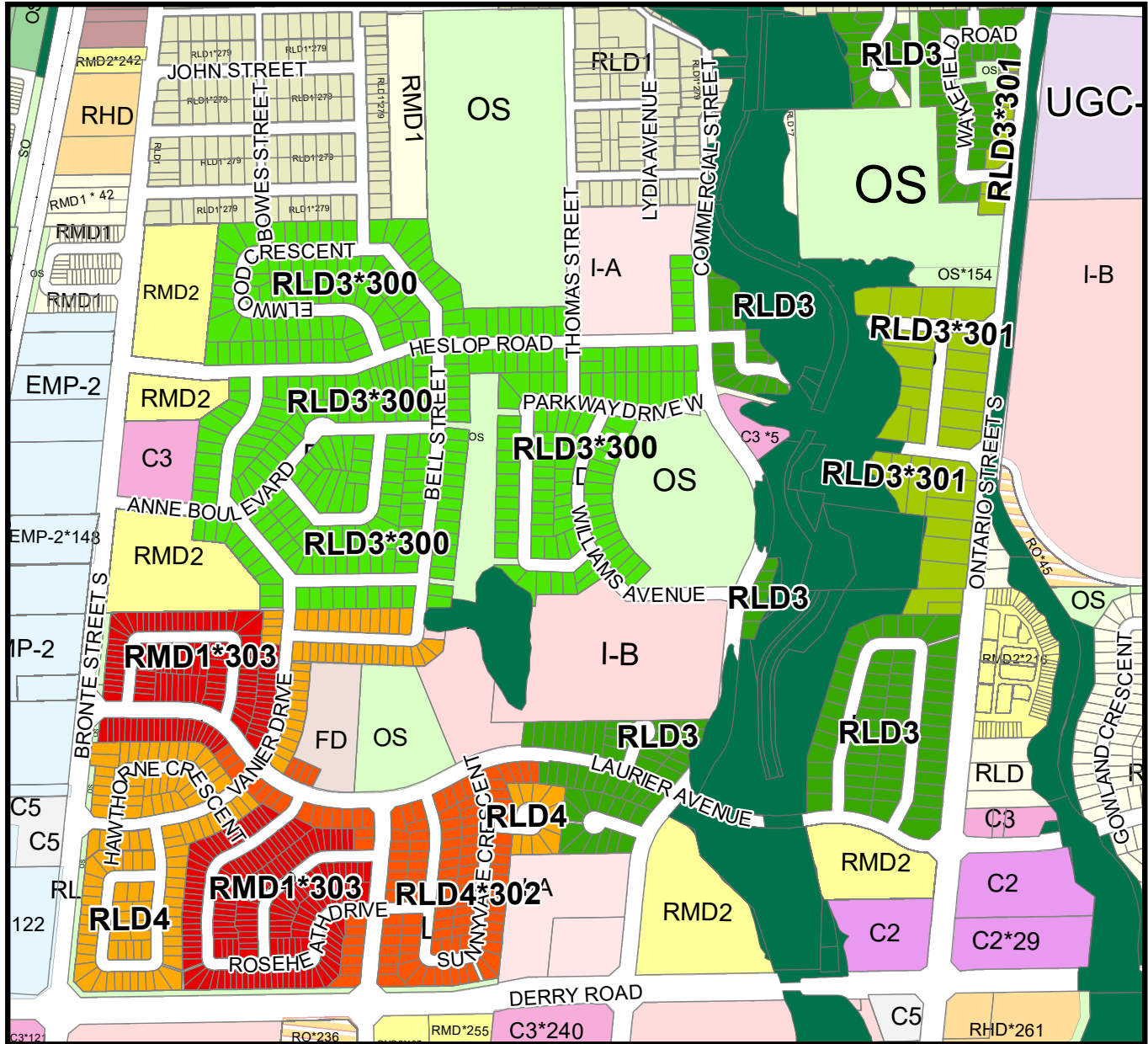
CLERK- Meaghen Reid

- NHS - Natural Heritage System
- RLD2 - Residential Low Density II Zone
- RLD2*299 - Residential Low Density II Zone Special
- RLD3 - Low Density III Zone
- RLD3*301 - Low Density III Zone Special
- RLD4 - Low Density IV Zone





**SCHEDULE B
TO BY-LAW No. 077-2021
TOWN OF MILTON**



THIS IS SCHEDULE B
TO BY-LAW NO. 077-2021 PASSED
THIS 23 DAY OF AUGUST, 2021

- RLD3 - New Residential Low Density III Zone
- RLD3*300 - New Residential Low Density III Zone Special
- RLD3*301 - New Residential Low Density III Zone
- RLD4 - Low Density IV Zone
- RLD4*302 - Low Density IV Zone Special
- RMD1*303 - Residential Medium Density I Zone Special
- NHS - Natural Heritage System

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid