

**THE CORPORATION OF TOWN OF MILTON**

**BY-LAW NO. 106 -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, AS AMENDED, TO INCORPORATE A SERIES OF HOUSEKEEPING AMENDMENTS THAT AFFECTS ALL LANDS WITHIN THE URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - (TOWN FILE: HKA-01/21).

**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 affected by this by-law to be zoned as set forth in this by-law;

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

**1.0 THAT** the text of the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows:

*The following table outlines the changes that are included in this zoning by-law amendment. Text that is underlined indicates new text to be inserted in the By-law. Text that is ~~crossed out~~ ("~~strikethrough~~") is to be deleted from the By-law.*

Item No.	Description of Change in By-law
1	<p><i>Revise the definition of "Setback" in Section 3 as follows:</i></p> <p><b>SETBACK</b>                      Means the horizontal distance of a structure or feature from the <del>property</del> <u>lot</u> line or other feature.</p>
2	<p><i>Revise Section 4.2.2.1, subsection v) as follows:</i></p> <p>v) The minimum internal dimensions for an attached or detached garage or carport shall be in accordance with the following:</p>

Garage Type	Minimum Required Internal Dimensions for Both Attached and Detached Garages and Carports
Single Car Garage	The minimum size of a <del>parking space</del> shall be 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car Garage or Larger with <del>a One Single Car Door</del>	The minimum size of a <del>parking space</del> shall be <del>2.9m</del> <u>5.5 m</u> wide by 6.0m long by 2.1m high of which <del>2.9m</del> <u>5.5 m</u> wide by 5.3 m long by 2.1 m high shall be unobstructed area with the exception of one <i>stair</i> ;
Double Car Garage or Larger with <del>Double Car Door</del> <u>Two or More Separate Doors</u>	The minimum size of a <del>parking space</del> shall be 5.5m wide by 6.0 m long by 2.1m high of which <del>2.9m</del> <u>5.5 m</u> wide by 5.3m long by 2.1m high shall be unobstructed <i>area</i> with the exception of one <i>stair</i> .

  

**3** *Revise Section 4.20.2.1 (Temporary Sales / Customer Service Offices), by adding a new subsection iii) and revising additional text as follows:*

**4.20.2.1 Temporary Sales/ Customer Service Offices**

- i) A temporary *building* or *trailer* for conducting sales of new *dwelling units* is permitted in any *Zone* provided the sales *building* or *trailer* is located within a development site. The sales *building* or *trailer* shall be *setback* 30m from the *lot line* of any existing residential *use* and *parking areas* associated with the sales *building* or *trailer* shall be *setback* 6m from any existing residential *use* abutting the development site, ~~and~~;
- ii) Notwithstanding the provisions of Section 5.1, *parking areas* for temporary sales and customer service *offices*, ~~where located within a temporary building or trailer,~~ may have a granular surface, and.
- iii) Notwithstanding any other provision to the contrary, temporary sales/ customer service offices for conducting sales of new dwelling units may also be permitted in any Zone within a building that is not intended to be temporary, subject to the applicable zone standards for which it is located, and all other applicable provisions of the by-law.

  

**4** *Revise Section 5.5, subsections iii) and v) by adding the words “subject to approval by Council” at the end of each sentence and revising additional text as follows:*

**5.5 PARKING IN THE CENTRAL BUSINESS DISTRICT (095-2017)**

- i) Every *building* or *structure* erected or enlarged in the Central Business District area shall comply with the *parking* provisions of this By-law;
- ii) In no case shall existing required parking be removed or otherwise occupied within the Cash-in-lieu Parking Policy Area as shown on Schedule B ~~of~~ to this By-law;

	<p>iii) Notwithstanding i) and ii) above, any <i>building</i> containing a permitted principal non-residential <i>use(s)</i> within the 'Cash-in-lieu Parking Policy Area' as shown on Schedule B to this By-law may provide payment to the satisfaction of the Town for cash-in-lieu of required <i>parking</i> for the non-residential <i>use(s)</i> only, <u>subject to approval by Council</u>;</p> <p>iv) Permitted non-residential <i>uses</i>, with the exception of a <i>hotel</i> or a <i>theatre</i>, within the existing gross floor area as it existed on September 25, 2017 that are within the "Parking Policy Area" as shown on Schedule C to this By-law shall be exempt from providing any additional parking.</p> <p>v) Notwithstanding iv) above, any required <i>parking spaces</i> removed as a result of an enlargement or addition(s) to an existing <i>building</i> will require payment <del>in</del> <u>of</u> cash-in-lieu of parking for the removed <i>parking spaces</i>, <u>subject to approval by Council</u>.</p>
5	Revise Section 5.8.2, Table 5G, by deleting the minimum off-street parking requirement of "4 parking spaces per classroom" for secondary schools and replacing it with "3 parking spaces per classroom";
6	Revise subsection 5.18.1 iv) as follows: <p>iv) The queuing <i>lane</i> associated with the <i>drive-through service use</i> shall be the total number of required ingress <i>spaces</i> and egress <i>spaces</i> <u>in accordance with the requirements of Table 5N above, or the recommendations of a site-specific Traffic Impact Study (TIS), whichever is greater.</u></p>
7	Revise Section 6.2, Table 6C by replacing the "no minimum" requirement for the minimum exterior side yard setback for a semi-detached dwelling with lane access, with "2.4 metres (*2)".
8	Add the footnote symbol "(*)" to the exterior side yard setback requirements for the following dwelling types in Section 6.2, Tables 6C (RMD1 Zone Standards) and 6D (RMD2 Zone Standards) as follows: <p>Table 6C</p> <p>a) Townhouse Dwelling, Corner Unit, with Street Access</p> <p>b) Townhouse Dwelling, Corner Unit, with Lane Access</p> <p>Table 6D</p> <p>a) Back-to-Back Townhouse Dwelling, Corner Unit</p>
9	Add the following new footnote to Section 6.2, Table 6D: <p>("*) The minimum required frontage is 6.0 metres where the required parking for the dwelling is provided in a common underground parking structure."</p>

10 Revise Section 6.2, Table 6D, by replacing the minimum lot frontage requirement for Back-to-Back Townhouse Dwellings, interior unit, with street access (both local streets and all other streets) from "6.0 metres" to "6.4 metres (\*4)" as shown below:

Regulations	ZONE		
	RMD II		
	Residential Medium Density II		
	Dwelling Type		
	<i>Back-To-Back Townhouse Dwelling(*1)</i>		
	Corner Unit	Interior Unit	End Unit
<b>Lot Frontage</b> (Minimum)			
Street Access			
Local street	8.4m / unit	<u>6.4 (*4)</u> <del>6.0m</del> / unit	7.6m / unit
All other streets	8.4m / unit	<u>6.4 (*4)</u> <del>6.0m</del> / unit	7.6m / unit
Lane Access			
Local street			
All other streets	N/A	N/A	N/A
	N/A	N/A	N/A

11 Revise the landscaping requirements in Section 6.2, Table 6E by replacing the word "maximum" with "minimum" and replacing the "N/A" with "35%" for the landscaping requirement for apartment buildings in the Residential High Density Zone as shown below:

Regulations	ZONES		
	RHD	RO	
	<i>Residential High Density</i>	<i>Residential Office</i>	
	Dwelling Type		
	Apartment Building	Apartment Building	Office Buildings
<b>Landscaped Open Space</b> (Maximum Minimum)	N/A <u>35%</u>	35%	35%

12 Revise the minimum lot coverage requirement applicable to the Transportation Terminal Use in the M2 (General Industrial) Zone in Section 8.2, Table 8B, by deleting "40%" and replacing it with "25%" as shown below:

Regulations	ZONES				
	EMP-1	EMP-2	M1	M2	MX
	Prestige Office	Employment	Business Park	Industrial	Extractive Industrial
<b>Lot Coverage</b> (Minimum)	N/A	N/A	N/A	40-25% (*3)	
<p>(*3) Notwithstanding any other provision of this by-law, any property containing a transportation terminal use shall be subject to this requirement, excluding outdoor storage that may be permitted by this by-law.”</p>					
13	<p>Delete the following provisions from Section 13.1.1.237 and relocate them to Section 13.1.1.240:</p> <p>1. <u>Special Zone Provisions:</u></p> <p>a) <u>Notwithstanding Table 7D, the maximum lot area shall be 1.66 ha.</u></p> <p>b) <u>Notwithstanding Table 7D, the maximum gross floor area for all buildings combined for uses permitted in a C2 Zone shall be 2,452.1m<sup>2</sup>;</u></p> <p>c) <u>Notwithstanding Table 7D, the maximum gross floor area for any individual building for uses permitted in a C3 zone shall be 1,200m<sup>2</sup>;</u></p> <p>d) <u>Notwithstanding Table 7D, the maximum exterior side yard setback shall be 8.4 metres;</u></p> <p>e) <u>Notwithstanding Section 4.18, a restaurant patio shall be permitted in the interior side yard abutting a residential zone;</u></p> <p>f) <u>Notwithstanding Section 4.18, a restaurant patio shall be setback a min 1.0 metres from a parking area;</u></p> <p>g) <u>Notwithstanding Section 5.18.4 (Setbacks for Queuing Lanes), the minimum setback for a queuing lane to a street line shall be 6.5 metres.</u></p> <p>h) <u>Notwithstanding Section 5.18.1 (i) Table 5G to the contrary, the minimum required ingress spaces for a drive through service facility associated with a take-out restaurant, shown as Restaurant “A” on Schedule “B”, shall be twenty (20) and the minimum required egress spaces shall be two (2).</u></p> <p>i) <u>Notwithstanding Section 5.18.1 (i) Table 5G to the contrary, the minimum required ingress spaces for a drive through service facility associated with a take-out restaurant, shown as Restaurant “E” on Schedule “B”, shall be eleven (11) and the minimum required egress spaces shall be two (2).</u></p>				
14	Delete subsection 13.1.1.27 in its entirety.				

15	<i>Delete Section 13.2.1.27 in its entirety.</i>
16	<i>Revise subsections 13.2.1.168 – 13.2.1.172 by changing the section references to 13.2.1.68 – 13.2.1.72 and relocating the subsections in the appropriate numerical order.</i>

**2.0** 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 Ontario Land Tribunal.

**PASSED IN OPEN COUNCIL ON NOVEMBER 15, 2021**

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

\_\_\_\_\_ Town Clerk  
Meaghen Reid