

## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 007-2022

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 IV - Special Section (RLD4\*307), Residential Low Density V (RLD5), Residential Low Density V - Special Section (RLD5\*308), Residential Low Density V - Special Section (RLD5\*309), Residential Low Density VI (RLD6), Residential Low Density VII (RLD7), and Residential Low Density VII - Special Section (RLD7\*310) 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: 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 replacing Subsection 1.11.2 ii) with the following:
  - 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 or 007-2022, whichever by-law applies to the subject property, 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 or 007-2022, as applicable.
- 4.0 **THAT** Section 1.11.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing Subsections 1.11.3 iii) and iv) with the following:
  - 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 or 007-2022, whichever by-law applies to the subject property, 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 or 007-2022, as applicable, 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 or 007-2022, whichever by-law applies to the subject property, 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 or 007-2022, as applicable.

**5.0** THAT Section 1.11.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing Section 1.11.5 ii) with the following:

ii) Sections 1.11.2 ii), 1.11.3 iii), and 1.11.3 iv) are repealed two years from the date of enactment of By-law NO. 077-2021 or 007-2022, whichever by-law applies to the subject property.

**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-2 Residential Low Density V (RLD5) Standards  
Residential Low Density VI (RLD6) Standards  
Residential Low Density VII (RLD7) 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 V Zone (RLD5)
- Low Density Residential VI Zone (RLD6)
- Low Density Residential VII Zone (RLD7)

**8.0** 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, RLD2, RLD3, RLD4' is replaced by the heading 'RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7'.

**9.0** THAT Section 4.2.2.1 vi) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding RLD5, RLD6 and RLD7 to the list of zones.

10.0 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:

- ‘RLD5, RLD6 and RLD7’ are added to the list of zones in the table.

11.0 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:

- ‘RLD5, RLD6 and RLD7’ are added between ‘RLD4 and ‘RMD1’.

12.0 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, RLD1, RLD2, RLD3 and RLD4 zones and the new ‘RLD5, RLD6 and RLD7’ zones are grouped into a single column; and
- A bullet point (•) is added to the table under the column ‘RLD, RLD1, RLD2, RLD3, RLD4, RLD5, RLD6, RLD7’ in the rows containing ‘Dwelling, Detached’, ‘Dwelling, Duplex’, ‘Dwelling, Semi-detached’, ‘Shared Housing’, ‘Home Day Care’ and ‘Home Occupation’.

13.0 THAT Table 6B of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by:

- Deleting the content of the row corresponding to Interior Side Yard Setback (Minimum) and replacing it with the following content:

Regulations	ZONES					
	RLD			RLD1		
	Residential Low Density			Residential Low Density I		
	Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling (*6)	Semi-detached Dwelling (*6)	
		Corner Lot	Interior Lot		Corner Lot	Interior Lot
<b>Interior Side Yard Setback (Minimum)</b>	1.2m	1.2m	0.0m on one side, 1.2m on the other side	See Footnote (*2)	0.0m	0.0m on one side, the other side subject to (*2 i)) (*3)

- deleting Notes (\*2) and (\*3) and replacing them with the following, and renumbering the subsequent notes accordingly:

(\*2) Minimum *interior side yard*:

- i) With attached *garage* or *carport*.
  - a. 1.2m for one-storey *dwellings* and 1.8m for two-storey *dwellings*, where the *lot frontage* is less than 15m.

- b. 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
  - c. 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.
  - d. 5.0m, where the *lot frontage* is equal to, or greater than, 30m.
- ii) Where no *garage* or *carport* is attached to the *dwelling*.
- a. the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be:
    - 1) 1.2m for one-storey *dwellings* and 1.8m for two-storey *dwellings*, where the *lot frontage* is less than 15m.
    - 2) 1.8m, where the *lot frontage* is equal to, or greater than, 15m but less than 25m.
    - 3) 3.0m, where the *lot frontage* is equal to, or greater than, 25m but less than 30m.
  - b. Notwithstanding subsection ii) a. above, where the *lot frontage* is equal to, or greater than 30m the *interior side yard setback* shall be a minimum of 5.0m on both sides of the *dwelling*.

(\*3) 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.

14.0 THAT Table 6B-1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by:

- Deleting the content of the row corresponding to Interior Side Yard Setback (Minimum) and replacing it with the following content:

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	
Interior Side Yard Setback (Minimum)	(*4)	0.0m	0.0m on one side, other side subject to (*4 i)) (*5)	(*6)	0.0m	0.0m on one side, 1.8m on the	1.2m on one side, 1.8m on the other side (*7)	0.0m	0.0m on one side, 1.8m on the other side (*5)

						other side (*5)			
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- deleting Notes (\*4) to (\*8) and replacing them with the following, and renumbering the subsequent notes accordingly:

(\*4) Minimum *interior side yard*:

i) With attached *garage* or *carport*:

- 1.2m for one-storey  *dwellings* and 1.8m for two-storey  *dwellings*, where the  *lot frontage* is less than 15m.
- 1.8m, where the  *lot frontage* is equal to, or greater than, 15m but less than 25m.
- 3.0m, where the  *lot frontage* is equal to, or greater than, 25m but less than 30m.
- 5.0m, where the  *lot frontage* is equal to, or greater than, 30m.

ii) Where no *garage* or *carport* is attached to the *dwelling*:

- the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be a minimum of:
  - 1.2m for one-storey  *dwellings* and 1.8m for two-storey  *dwellings*, where the  *lot frontage* is less than 15m.
  - 1.8m, where the  *lot frontage* is equal to, or greater than, 15m but less than 25m.
  - 3.0m, where the  *lot frontage* is equal to, or greater than, 25m but less than 30m.
- Notwithstanding subsection ii) a. above, where the  *lot frontage* is equal to, or greater than 30 m, the *interior side yard setback* shall be a minimum of 5.0m on both sides of the dwelling.

(\*5) 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:

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

(\*6) Minimum *interior side yard*:

i) With attached *garage* or *carport*:

- 1.2m on one side of the lot and 1.8m on the other side for one-storey  *dwellings* and 1.8m on both sides of the lot for two-storey  *dwellings*, where the  *lot frontage* is less than 20m.
- 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.

ii) Where no *garage* or *carport* is attached to the *dwelling*:

- the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be a minimum of:

- 1) 1.2m for one-storey *dwelling*s and 1.8m for two-storey *dwelling*s, where the *lot frontage* is less than 20m.
  - 2) 1.8m, where the *lot frontage* is equal to, or greater than, 20m.
- b. Notwithstanding subsection ii) a. above, where the *lot frontage* is equal to, or greater than 30m, the *interior side yard setback* shall be a minimum of 5.0m on both sides of the dwelling.

(\*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 3.5m, and the other side shall be a minimum of 1.2m.

15.0 THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Table 6B-2, as follows:

TABLE 6B-2

Regulations	ZONES								
	RLD5			RLD6			RLD7		
	Residential Low Density V			Residential Low Density VI			Residential Low Density VII		
	Dwelling Type			Dwelling Type			Dwelling Type		
	Detached Dwelling / Duplex Dwelling	Semi-detached Dwelling		Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)		Detached Dwelling / Duplex Dwelling (*1)	Semi-detached Dwelling (*1)	
Corner Lot		Interior Lot	Corner Lot		Interior Lot	Corner Lot		Interior Lot	
<b>Lot Frontage</b> (Minimum)	10.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit	15.0m	11.4m / unit	10.0m / unit
<b>Lot Depth</b> (Minimum)	30m	30m	30m	30m	30m	30m	30m	30m	30m
<b>Lot Area</b> (Minimum)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Lot Coverage</b> (Maximum)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)	(*2)
<b>Front Yard Setback</b> (Minimum)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)	7.5m (*3)
<b>Interior Side Yard Setback</b> (Minimum)	0.6m on one side, 1.2m on the other side (*4)	0.0m	0.0m on one side, 1.2m on the other side (*5)	1.2m on one side, 1.8m on the other side (*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)	1.2m on one side, 2.4m on the other side (*6)	0.0m	0.0m on one side, 1.8m on the other side (*5)
<b>Exterior Side Yard Setback</b> (Minimum)	4.5m	4.5m	N/A	5.0m	5.0m	N/A	5.0m	5.0m	N/A

<b>Rear Yard Setback (Minimum)</b>	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m
<b>Building Height (Maximum)</b>	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)	(*7)
<b>Number of Storeys (Maximum)</b>	2	2	2	2	2	2	2	2	2
<b>Landscaped Open Space (Minimum)</b>	30%	30%	30%	30%	30%	30%	30%	30%	30%

Footnotes for Table 6B-2:

(\*1) Shall be subject to the provisions of Section 6.3.4 of this By-law.

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

Table 6B-2 (I)

<i>Lot Area</i>	<i>Maximum Lot Coverage</i>
Less than 660 m <sup>2</sup>	30% *
660 - 830 m <sup>2</sup>	25% **
Greater than 830 m <sup>2</sup>	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 007-2022 or the minimum *front yard setback* required for the parent *zone*, whichever is less restrictive.

(\*4) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be a minimum of 0.6m.

(\*5) 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 3.5m on the other side.

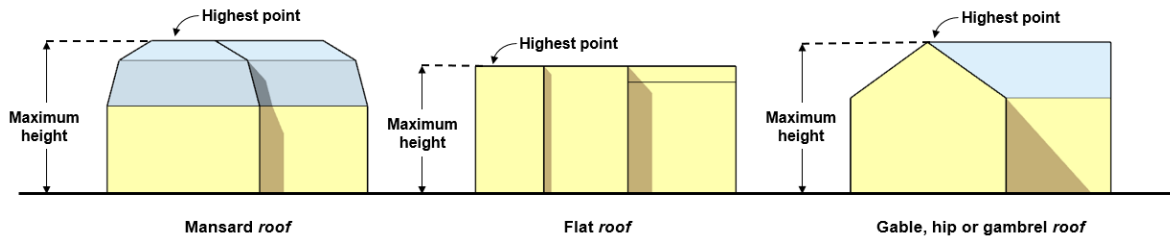
(\*6) Where no *garage* or *carport* is attached to the *dwelling*, the *interior side yard setback* closest to the *driveway* shall be a minimum of 3.5m, and the other side shall be a minimum of 1.2m.

(\*7) 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.

**ILLUSTRATION OF BUILDING HEIGHT IN THE RLD5, RLD6, and RLD7 ZONES**



**NOTE:**

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

**16.0 THAT** Section 6.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection 6.3.4 as follows, and renumbering the subsequent sections accordingly:

**6.3.4 Street Front Treatment of Residential Buildings in the RLD6 and RLD7 zones:**

All residential *buildings* in the RLD6 and RLD7 *zones* must comply with the following *street* front treatment provisions:

- i) 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*.

**17.0 THAT** Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.307, as follows:

<b>13.1.1.307</b>		RLD4	*307
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) <b>Zone Standards</b>			
a) Minimum <i>Front Yard Setback</i> : 7.5m			
b) In the case of an addition to an existing <i>building</i> , 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 007-2022 or the minimum required *front yard setback*, whichever is less restrictive.

c) Minimum *Exterior Side Yard Setback*: 5.0m

18.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.308, as follows:

13.1.1.308		RLD5	*308
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:			
ii) <b>Zone Standards</b>			
a) Minimum <i>Front Yard Setback</i> : 6.0m			
b) In the case of an addition to an existing <i>building</i> , 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 007-2022 or the minimum required <i>front yard setback</i> , whichever is less restrictive.			

19.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.309, as follows:

13.1.1.309		RLD5	*309
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:			
i) <b>Zone Standards</b>			
c) Minimum <i>Interior Side Yard Setback</i> for <i>Detached</i> and <i>Duplex Dwellings</i> :			
i) With attached <i>garage</i> or <i>carport</i> : 1.2m			
ii) Where no <i>garage</i> or <i>carport</i> is attached to the <i>dwelling</i> , the <i>interior side yard setback</i> closest to the <i>driveway</i> shall be a minimum of 3.5m, and the other side shall be a minimum of 1.2m.			

20.0 THAT Section 13 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.310, as follows:

13.1.1.310		RLD7	*310
Various properties within mature neighbourhood areas			
Notwithstanding the provisions of Section 6.2 Table 6B-2 to the contrary, the following provisions shall apply:			

- a) *Maximum Building Height:*
- 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.
- b) The provisions of Section 6.3.4 shall not apply.

**21.0** 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 on the day of its passing. If 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 the Tribunal's Order is issued directing the amendment or amendments.

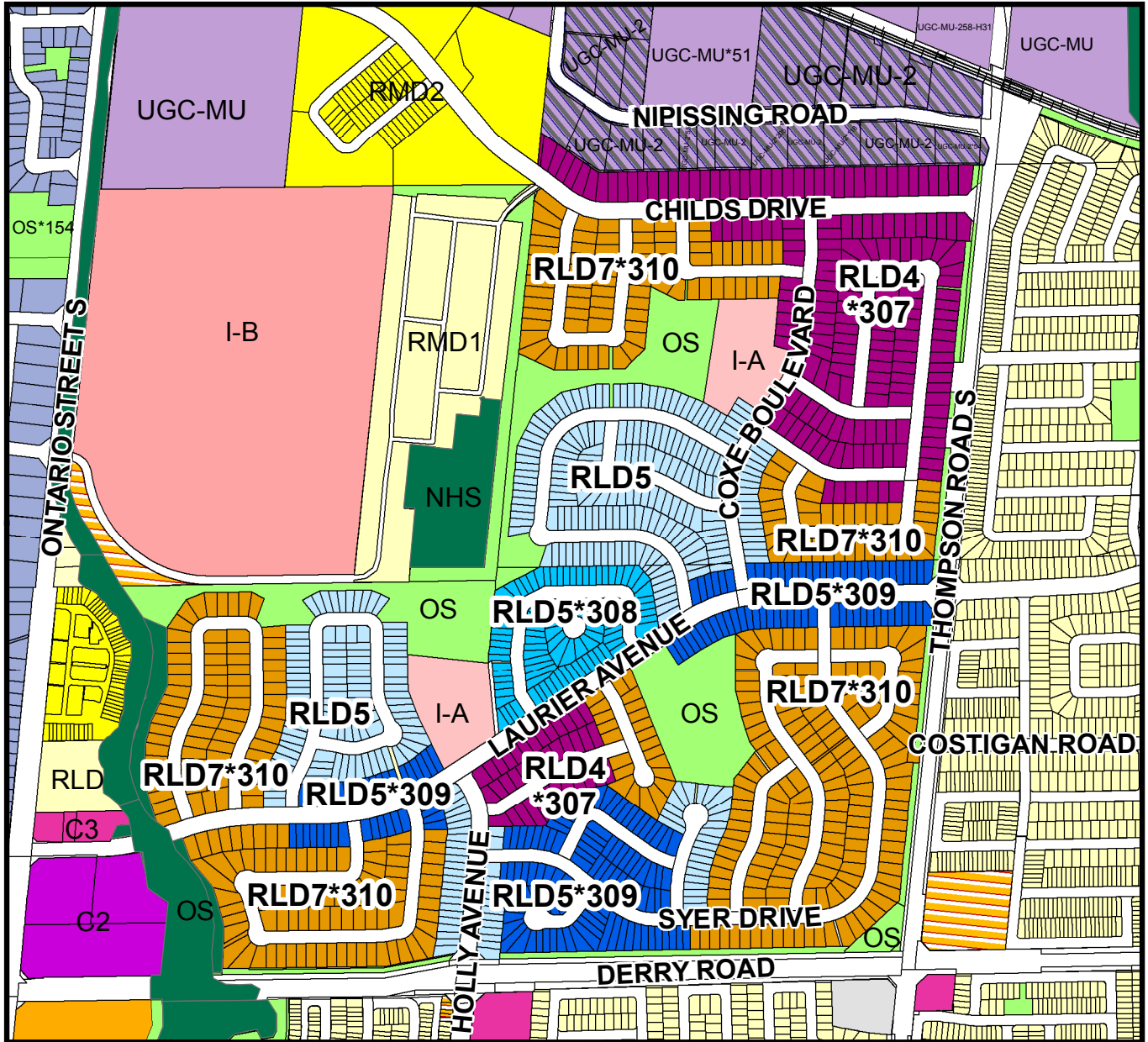
**PASSED IN OPEN COUNCIL ON FEBRUARY 7, 2022.**

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

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



SCHEDULE B  
 TO BY-LAW No. -2022  
 TOWN OF MILTON



THIS IS SCHEDULE B  
 TO BY-LAW NO. \_\_\_\_\_ PASSED  
 THIS \_\_ DAY OF \_\_\_\_\_, 2022.

\_\_\_\_\_  
 MAYOR - Gordon A. Krantz

\_\_\_\_\_  
 CLERK- Meaghen Reid

- RLD4\*307 Residential Low Density IV Zone Special 307
- RLD5 - Residential Low Density V Zone
- RLD5\*308 - Residential Low Density V Zone Special 308
- RLD5\*309 - Residential Low Density V Zone Special 309
- RLD7\*310 - Residential Low Density VII Zone Special 310
- NHS - Natural Heritage System

