

## THE CORPORATION OF THE TOWN OF MILTON

### BY-LAW NO. 018-2022

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 THE LANDS DESCRIBED AS PART OF LOT 13, CONCESSION 3, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (NEATT COMMUNITIES (NIPISSING) INC.) – TOWN FILE - Z-08/21

**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 will provide for the lands affected by this By-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment Number 71.

**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 symbol to the to a new site-specific Urban Growth Centre Mixed Use with a Holding Provision (UGC-MU\*311\*H56) Zone symbol on the lands 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 23 storeys on the land shown on Schedule B attached hereto.
3. **THAT** Section 13.1 of Comprehensive By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.311 as follows:

Urban Growth Centre Mixed Use – Special Section (UGC-MU\*311\*H56) Zone

**(i) Additional Permitted Uses:**

- a. *Apartment Building*
- b. Guest Suite
- c. Above Grade Parking Structure

**(ii) Definitions:**

For the purpose of this by-law:

- a. 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. LONG TERM BICYCLE PARKING means bicycle parking spaces located within the building for the use by occupants or tenants of a building;
- c. SHORT TERM BICYCLE PARKING means bicycle parking spaces for use by visitors to a building and can be provided either inside or outside of the building.
- d. GUEST SUITE is a room within the apartment building that is not connected to any individual apartment, but which includes bedroom and bathroom space that can be used by visitors to the apartment building as overnight temporary accommodation and it shall not include a kitchen. A Guest Unit does not constitute an apartment and shall not require a separate parking provision.
- e. STEPBACK means the horizontal distance from a main wall on the lower floors of a building to a main wall on the uppermost floors of a mid-rise building or the tower portion of a tall building, including balconies.

**(iii) Special Provisions:**

- a) Notwithstanding the provisions of Section 4.19.4, Exceptions to Height Requirements, the calculation of *Building Height* shall be exclusive of mechanical penthouses, rooftop equipment, elevator tower, stair tower and/or architectural features such as parapets and screen walls.
- b) Notwithstanding Section 4.19.5, Table 4H, *balconies* and *porches/verandas* are permitted to encroach into the required *yard* and are permitted to be setback 0.0 metres from the *lot line*.
- c) Notwithstanding Section 4.22.3, the minimum setback from a residential *dwelling unit* to the railway corridor right-of-way shall be 21 metres.
- d) Notwithstanding Section 4.22.3, the minimum setback from a parking structure to the railway corridor right-of-way shall be 0 metres.
- e) Notwithstanding Section 5.8.1, Table 5E, to the contrary the minimum off-street parking requirements shall be:

- a. 0.88 *parking spaces per dwelling unit*.
- b. Plus 0.2 visitor *parking spaces per dwelling unit*.
- f) Notwithstanding Section 5.12.1 to the contrary, *parking areas* shall be setback 0.5 metres from the lot line.
- g) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 0.0 metres of a street line or *lot line*.
- h) Notwithstanding Section 5.10, to the contrary, the bicycle parking requirement for a *mixed-use building* or *apartment building* shall be 1.00 *long-term bicycle parking spaces per dwelling unit* plus 0.05 visitor *short-term bicycle parking spaces per dwelling unit*.
- i) Notwithstanding Section 5.8, Table 5D, a bicycle *parking space* may also be provided in a vertical or stacked vertical rack system.
- j) Notwithstanding Section 5.8, Table 5D, the minimum dimension of a bicycle parking space if placed in a vertical position or stacked vertical position on a wall, structure or mechanical device is:
  - i. Minimum width of 0.4 metres.
  - ii. Minimum length of 1.2 metres.
  - iii. Minimum vertical clearance is 1.9 metres.
- k) A minimum of 4 square metres per *dwelling unit* of outdoor communal *amenity* space 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). This outdoor communal *amenity* space shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.
- l) The podium of a residential building shall have a minimum *height* of 3 *storeys* and a maximum *height* of 6 *storeys*.
- m) Any portion of a building above a *height* of 7 *storeys* must not exceed a floor plate area of 770 square metres.
- n) Despite any provision to the contrary, where there is more than one residential building on the lot, the minimum separation between towers shall be 25 metres measured from the main face of the *building* and excluding *balconies*.

- o) The minimum permitted *Floor Space Index* (FSI) shall be 3.0.
- p) The maximum permitted *Floor Space Index* (FSI) shall be 5.0.
- q) *Waste storage areas* shall be located within the principal *building*.
- r) Any awning, canopy and/or similar weather shielding structure, and any restaurant patio, may project to any *lot line*.
- s) Transformers and Telecommunications: Transformers and telecommunications vaults and pads shall be permitted to project 0.5 metres to a public street beyond the *main wall* of the *building*.
- t) Minimum *Height of First Storey*: 3.6 metres. (measured from top-of-slab to top-of-slab)
- u) A Guest Suite does not constitute an apartment and shall not require a separate parking provision.
- v) A minimum stepback of 1.5 metres is required above a *height* of 4-storeys.

**(iv) Zone Standards:**

Notwithstanding the provisions of Section 7.2, Table 7C to the contrary:

- a) Minimum *Front Yard* Setback shall be 1.0 metre.
- b) Maximum *Front Yard* Setback shall be 4.0 metres
- c) Minimum *Interior Yard* Setback shall be 0 metres.
- d) Minimum *Rear Yard* Setback shall be 0 metres.
- e) Maximum *lot coverage* shall be 65%.
- f) Maximum *height* of all buildings is 23 storeys and 74.5 metres.
- g) Footnote (\*2) to Table 7C is not applicable.
- h) *Minimum Landscape Open Space*: 12%

4. THAT Section 13.2.1.99 of By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this “H56” Holding Provision:

“H56” shall not be removed until:

- a. The submission of a Letter of Reliance for the Phase 1 and Phase 2 Environmental Site Assessment pursuant to Ontario Regulation 153/04, and a Ministry of Environment and Climate Change acknowledged Record of Site Condition (RSC) is secured to demonstrate that the lands are suitable for the proposed residential development.
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 Local Planning Appeal 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 or 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 MARCH 21, 2022.**

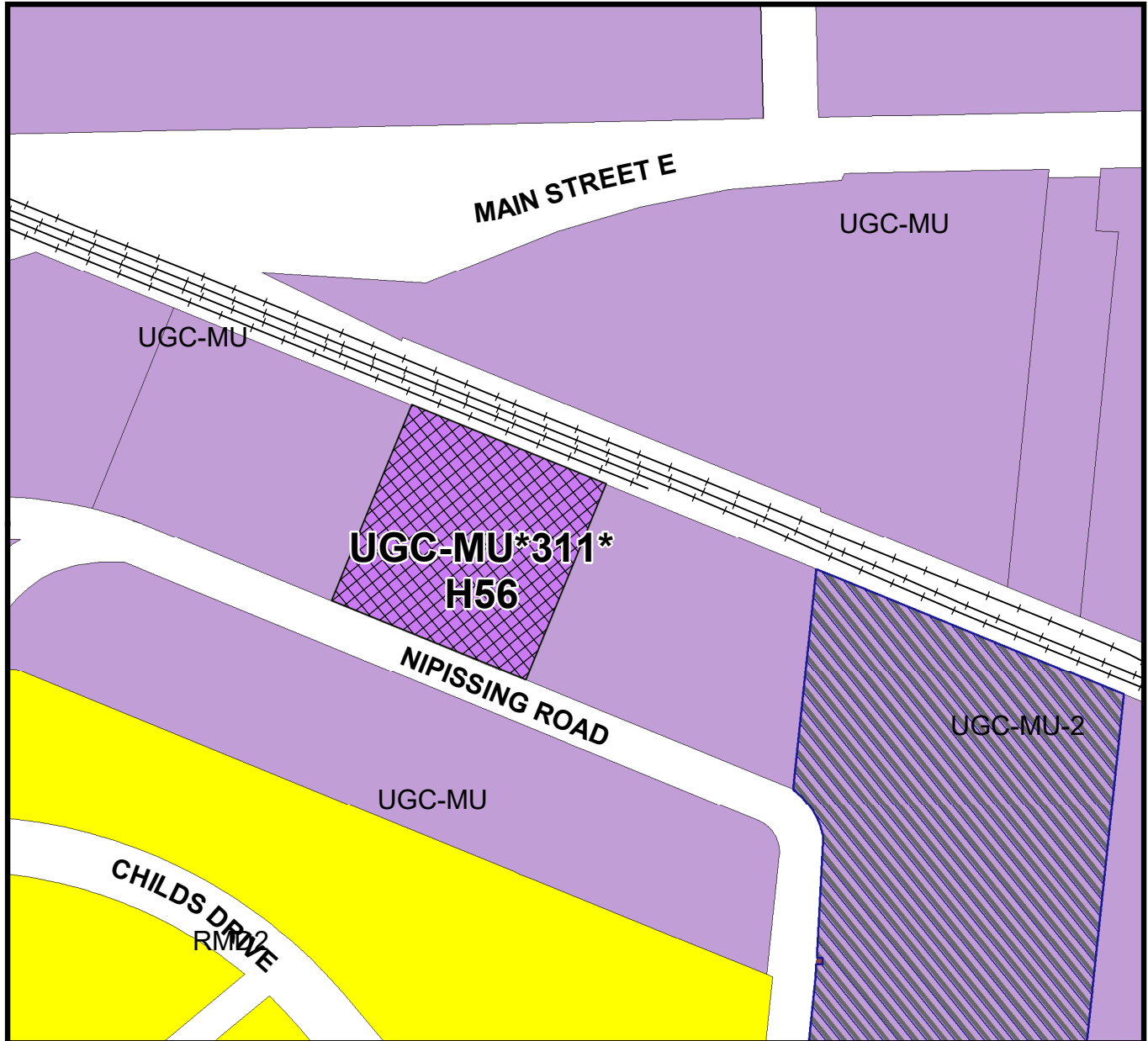
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Gordon A. Krantz Mayor

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Meaghen Reid Town Clerk


SCHEDULE A  
TO BY-LAW No. 018-2022  
TOWN OF MILTON

PART OF LOT 13, CONCESSION 3 TRAFALGAR N.S.

*Town of Milton*



THIS IS SCHEDULE A  
TO BY-LAW NO. 018-2022 PASSED  
THIS 21ST DAY OF MARCH, 2022.

 UGC-MU\*311\*H56 - Urban Growth  
Centre Mixed-Use Zone Special with a  
Holding

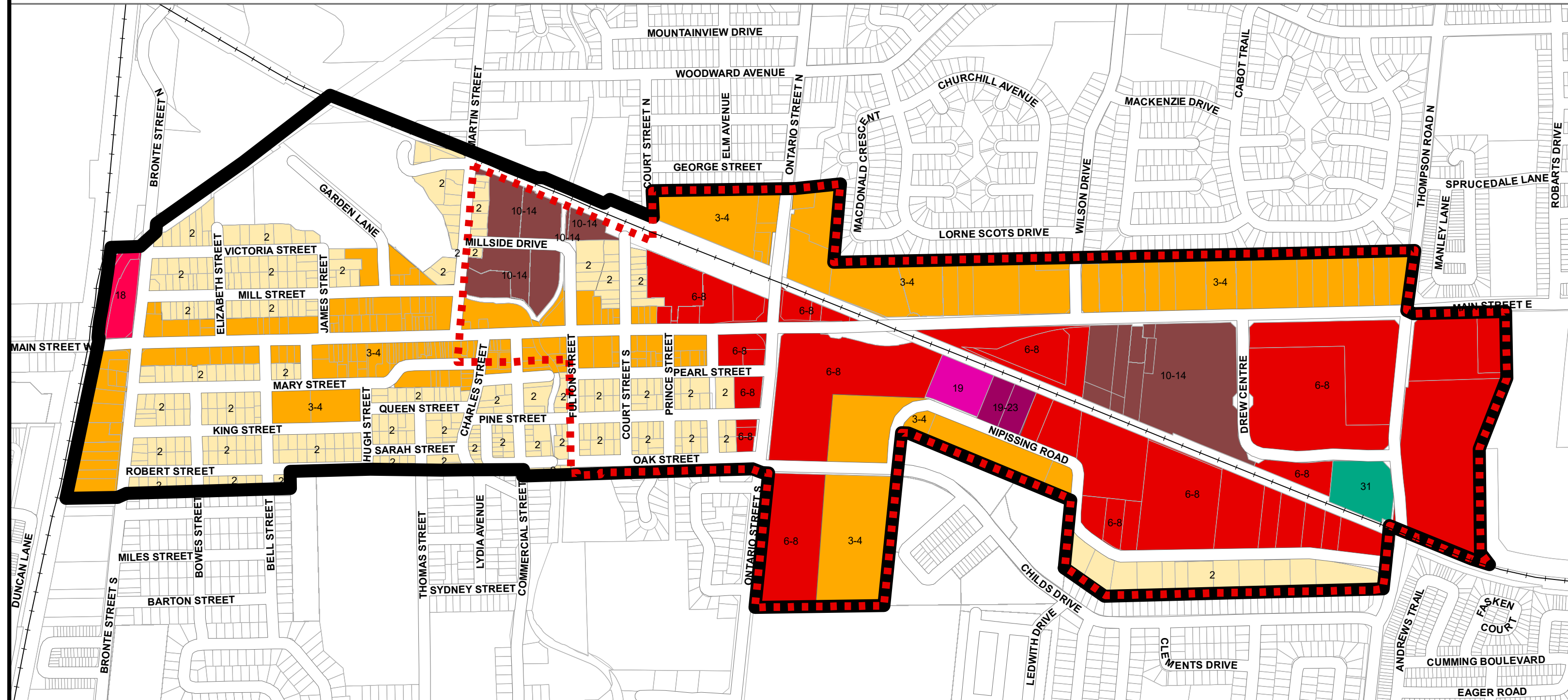
MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid






# SCHEDULE D






## Central Business District - Building Heights





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

Date: March 21 2022

-  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



0 210 420  
 Meters