



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 23, 2025

Report No: DS-037-25

Subject: Public Meeting Report - Additional Residential Units in the Urban Area for lots with no municipal water or sewage services - Zoning By-law Amendment (Z-12-25)

Recommendation: THAT Report DS-037-25, with respect to Town initiated draft Zoning By-law amendment regarding additional residential units in the Town's Urban Area, be received for information.

EXECUTIVE SUMMARY

A Zoning By-law Amendment (ZBA) is being proposed to permit additional residential units (ARUs) on lots in the Urban Area, in the low-density residential zones, that are not served by full municipal water and sewage services.

Furthermore, to conform to the updated provincial regulations regarding ARUs, the ZBA includes amendments to maximum lot coverage requirements for lots with ARUs in low density residential zones and minimum separation distance between a principal dwelling and a detached garage containing an ARU.

REPORT

Background

An additional residential unit (ARU) is a self-contained dwelling unit with its own kitchen, bathroom and sleeping facilities, located within a single detached, semi-detached or townhouse dwelling, or within a detached accessory building on the same lot as the foregoing.

Background

In accordance with the Planning Act, Council approved changes on June 3, 2024 (through report [DS-047-24](#)) to the Town's Official Plan and Urban Zoning By-law to permit ARUs on lots that are served by municipal water and sewage servicing.

On November 19, 2024, the Province amended the additional residential units regulation (O. Reg. 462/24) under the Planning Act. The updated provincial regulation establishes restrictions on certain zoning standards, such as lot coverage and distance separation between a principal dwelling and a detached accessory building containing an ARU.

Discussion

Lots in the Urban Area on Private Servicing

A Zoning By-law Amendment (ZBA) is being proposed to Urban Zoning By-law 016-2014 to permit additional residential units (ARUs) on lots in the low-density residential zones that are served by private water and/or sewage servicing. There are a limited number of lots in the low-density residential zones that do not have access to municipal water and sewage services. It is anticipated that full municipal water and sewage services will not be available to these lots for the foreseeable future. Staff have heard interest from some property owners of these lots that they would like to add ARUs on their properties.

The Official Plan Amendment (OPA) being proposed through report DS-036-25 to permit ARUs in the Rural Area also enables ARUs on lots in the Urban Area that are served by private water and sewage servicing. The draft ZBA, attached as Appendix A, is proposing that up to two (2) ARUs be permitted on a lot in any low density residential zone that is not served by municipal water and sewage services, subject to the lot having a minimum lot size of 0.625 hectares (1.544 acres) for one (1) ARU and a minimum lot size of 0.875 hectares (2.162 acres) for two (2) ARUs. It must also be demonstrated to the satisfaction of the Town that the private water and/or sewage services on the lot are adequate and capable of servicing all dwelling units located on the lot.

Conformity with Updated Provincial Regulations

The updated provincial regulation regarding ARUs came into effect after the Town approved its zoning regulations for ARUs in the Urban Area. The updated provincial regulation established restrictions on certain zoning standards. The Town's current Urban Zoning By-law provisions regarding ARUs conflict with two standards of the updated provincial regulation: 1) lot coverage in the low-density residential zones, and 2) minimum distance

Discussion

separation between a principal dwelling and a detached garage containing an ARU on the lot.

The Town's low density residential zones currently limit maximum lot coverage to 30% for lots that are less than 660 m² in size, 25% for lots 660 to 830 m², and 20% for lots larger than 830 m². To conform to the provincial regulation, lots with ARUs will be permitted to have a maximum lot coverage of 45%.

The Town's current zoning requires a detached garage containing an ARU be located no closer than 5.5 metres from the principal dwelling on the lot. The updated provincial regulation limits the distance that municipalities can require between the principal building and an accessory building containing an ARU to a maximum of 4 metres. The Town's current zoning requires a distance separation between a principal dwelling and an accessory building that is not a detached garage containing an ARU to be a minimum of 3.5 metres. For consistency, this ZBA proposes to change the minimum distance separation between a principal dwelling and a detached garage containing an ARU to 3.5 metres.

Consultations

Notice of this statutory Public Meeting was given on June 3rd, 2025. A copy of the draft Zoning By-law Amendment (ZBA), attached as Appendix A, was made available on the Town's website for public review and comment. The draft ZBA was also circulated to relevant Town departments and external agencies for review and comment. Any comments received will be considered before bringing the amendments back to Council for consideration of adoption.

Financial Impact

This review, including the drafting of the official plan and zoning by-law amendments as well as the information sessions, has been undertaken with resources provided for in the approved budget.

ARUs are exempt from the payment of development charges (DC), as well as for the conveyance of parkland, under a combination of Provincial legislation and the Town's related by-laws.

Respectfully submitted,

Jill Hogan



The Corporation of the Town of Milton

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Commissioner, Development Services

For questions, please contact: Wendy Chen
Senior Planner, Policy

Phone: Ext. 2296

Attachments

Appendix A - Draft Zoning By-law Amendment

Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. XXX-2025

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 ALL LANDS SUBJECT TO ZONING BY-LAW 016-2014 WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-12/25).

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 lands affected by this By-law comply with the Town of Milton Official Plan;

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

1.0 THAT Section 4.2.2.2 iv) a) iv) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows (Note: deletions are shown as a strikethrough and additions are underlined):

iv) it is located no closer than ~~5.5~~ 3.5 m from the *principal building*, including any *structure* with a *roof* that may be attached to the *principal building*, on a lot;

2.0 THAT Section 4.4 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended as follows (Note: deletions are shown as a strikethrough and additions are underlined):

iii) Notwithstanding ii) above to the contrary, *porches/verandas* associated with a *principal building* shall be *setback* a minimum of 3.5 m to an *accessory building* containing an *additional dwelling unit* ~~and 5.5 m to a detached garage containing an additional dwelling unit~~, and,

3.0 THAT Section 4.10 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection v) as follows and renumbering the subsequent subsections accordingly:

v) Notwithstanding Section 4.10 iv), a maximum of two *additional dwelling units* may be permitted on a *lot* in any low density residential *zone* that is not served by municipal water and wastewater services, subject to the following requirements:

a) The minimum required lot area for one (1) *additional dwelling unit* is 0.625 ha;

- b) The minimum required lot area for two (2) *additional dwelling units* is 0.875 ha; and
 - c) It is demonstrated to the satisfaction of the Town that the private water and/or wastewater service(s) on the *lot* are adequate and capable of serving all *dwelling units* located on the *lot*,
- 4.0 THAT Section 4.10 viii) d) (formerly 4.10 vii) d)) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing the reference to “4.10 viii) e)” to “4.10 ix) e)”.
- 5.0 THAT Section 4.10 ix) e) (formerly 4.10 viii) e)) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing the reference to “4.10 vi) and vii)” to “4.10 vii) and viii)”.
- 6.0 THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Footnote (*1) for Table 6B as follows (Note: deletions are shown as a strikethrough and additions are underlined):
- (*1) See Table 6B (I) below for maximum permitted *lot coverage*. Notwithstanding the following, where one or more *additional dwelling unit(s)* is located on the *lot*, the maximum *lot coverage* shall be 45%
- 7.0 THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Footnote (*2) for Table 6B-1 (I) as follows (Note: deletions are shown as a strikethrough and additions are underlined):
- (*2) See Table 6B-1 (I) below for maximum permitted *lot coverage*. Notwithstanding the following, where one or more *additional dwelling unit(s)* is located on the *lot*, the maximum *lot coverage* shall be 45%
- 8.0 THAT Section 6.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Footnote (*2) for Table 6B-2 (I) as follows (Note: deletions are shown as a strikethrough and additions are underlined):
- (*3) See Table 6B-2 (I) below for maximum permitted *lot coverage*. Notwithstanding the following, where one or more *additional dwelling unit(s)* is located on the *lot*, the maximum *lot coverage* shall be 45%

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 Ontario Land Tribunal dismisses the appeal, this By-law shall come into force on the day of its passing. If the Land Use Planning Appeal 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....., 2025.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

DRAFT