



# The Corporation of the Town of Milton

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Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: June 23, 2025

Report No: DS-036-25

Subject: Public Meeting Report - Additional Residential Units in the Rural Area Official Plan and Zoning By-law Amendments (LOPA-01/25 & Z-04/25)

**Recommendation:** THAT Report DS-036-25, with respect to Town initiated draft Official Plan and Zoning By-law amendments regarding additional residential units in the Town's Rural Area, be received for information.

## EXECUTIVE SUMMARY

Draft Official Plan and Zoning By-law amendments, attached as Appendix A, B and C, are being proposed to permit additional residential units (ARUs) within the Town's Rural Area, where permitted by provincial policies.

In accordance with the provincial policies of the Niagara Escarpment Plan (NEP), the Greenbelt Plan, and the Provincial Planning Statement (PPS):

- Within the parts of the Hamlet of Campbellville located within the NEP Area, one (1) ARU per lot, which can be located within or attached to a single detached dwelling, is being proposed to be permitted on lands within the Escarpment Rural Area designation of the NEP;
- Within the Greenbelt Plan Area, but not including Hamlet Areas and outside of the Greenbelt Natural Heritage System, one (1) ARU per lot is being proposed to be permitted within a single detached dwelling or within an existing accessory building (that existed on July 1, 2017) on the same lot;
- Within the Hamlets of Brookville, Moffat, and the portion of Campbellville not located within the NEP, one (1) ARU per lot is being proposed to be permitted either within a single detached dwelling or within an accessory building on the same lot; and
- Within prime agricultural areas outside of the Greenbelt Plan Area and the NEP Area, up to two (2) ARUs per lot are being proposed to be permitted where only one of these ARUs may be located within an accessory building on the lot.

The draft OPA also proposes policies that aim to maintain public health and safety, minimize the impacts of private sewage systems, and protect agricultural land and operations. The draft ZBA implements the policies of the Official Plan and includes provisions such as

## EXECUTIVE SUMMARY

minimum lot size, maximum ARU size, minimum setbacks, maximum height, parking requirements, and emergency service access.

## 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.

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

The Planning Act does not require municipalities to permit ARUs on lots without municipal water and sewage servicing. However, considering the points raised by the public in support of rural ARUs, Council directed Staff (through report [DS-030-24](#)) to draft amendments to the Official Plan and Rural Zoning By-law to allow ARUs within the Town's Rural Area, where permitted by provincial policies.

### Discussion

#### Draft Official Plan and Zoning By-law Amendments

Draft Official Plan and Zoning By-law amendments, attached as Appendix A, B and C, are being proposed to permit additional residential units (ARUs) within the Town's Rural Area, where permitted by provincial policies.

Please note that two Official Plan Amendment (OPA) versions have been drafted and included in this report. The Town is currently undertaking an Official Plan review. In March 2025, Council approved a comprehensive amendment (OPA 92) to the first part of the Official Plan. OPA 92 is currently being reviewed by the Province for Minister's approval. Due to uncertainty in the timing of when OPA 92 would be approved and come into effect, two versions of the OPA for ARUs have been drafted. Should OPA 92 not be in effect when Council considers the OPA for ARUs, then the version of the OPA attached as Appendix A will be considered for approval. If OPA 92 come into effect before the OPA for ARUs is considered by Council, then Council will consider the version attached as Appendix B for approval.

The draft Zoning Bylaw Amendment (ZBA) is attached as Appendix C.

## Discussion

### The Rural Area

The Town's Rural Area consists of all lands outside of the Urban Area, as shown on Figure 1, and includes lands within the former townships of Nassagaweya, Nelson, Trafalgar, Esquesing, as well as the Hamlets of Campbellville, Brookville, and Moffat. While there are some limited areas, such as in Campbellville, that are on municipal water services, all lots in the Rural Area are served by private sewage servicing (i.e., septic systems).

The majority of the Rural Area is located within either the provincial Niagara Escarpment Plan Area or the Greenbelt Plan Area. The policies of these provincial plans apply respectively to these areas. The Town's Official Plan policies and Zoning By-law regulations must be in conformity with these provincial plans, as well as being consistent with the Provincial Planning Statement.

### Niagara Escarpment Plan Area

The Niagara Escarpment Plan (NEP) Area is located immediately northwest of the Urban Area, as shown on Figure 1, and includes a portion of the Hamlet of Campbellville. The majority of the NEP Area is regulated by the Niagara Escarpment Commission (NEC). The Town's zoning by-laws do not apply within the NEC Development Control area. The exceptions are the parts of Campbellville located within the NEP Area, but are not located within the NEC's Development Control Area, which are instead regulated by the Town's Rural Zoning By-law (By-law 144-2003). Although not located within the NEC's Development Control Area, the Town's policies and zoning regulations for these parts of Campbellville must still be consistent with the NEP.

The NEP does not permit ARUs within its Escarpment Natural Area and Escarpment Protection Area designations. Within its Escarpment Rural Area, one (1) ARU is permitted within a single detached dwelling, or within an addition to a single detached dwelling, but not permitted within a detached accessory building. The draft Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) implements these policies of the NEP pertaining to ARUs. To identify which lands within Campbellville are located within the NEP Area and their designations under the NEP, a new schedule (Schedule F) is proposed to be added to Zoning By-law 144-2003 as part of the ZBA attached as Appendix C.

### Greenbelt Plan Area

The remainder of the Rural Area north of the NEP Area and small portions of the Rural Area south of the Urban Area are located within the Greenbelt Plan Area. The Greenbelt Plan does not permit additional residential units (ARUs) within the Greenbelt's Natural Heritage System (NHS). Outside of the Greenbelt NHS, excluding Hamlet Areas which are subject to different policies, one (1) ARU is permitted per lot within a single detached dwelling or within

## Discussion

an existing accessory building on the same lot. The accessory building must have existed on July 1<sup>st</sup>, 2017, which is the date when this policy of the Greenbelt Plan came into effect.

The draft OPA and ZBA implements the policies of the Greenbelt Plan pertaining to ARUs. To identify which lands are located outside of the Greenbelt's NHS, a new schedule (Schedule G) is proposed to be added to Zoning By-law 144-2003 as part of the ZBA attached as Appendix C.

The policies of the Greenbelt Plan pertaining to ARUs do not apply within the Hamlet Areas. The Hamlet Areas, except for the parts of Campbellville that are located within the NEP Area, are permitted under the Greenbelt Plan policies to have limited growth through infill and intensification subject to appropriate water and sewage services. The draft OPA and ZBA is proposing to permit one (1) ARU, which can be located within a single detached dwelling or within an accessory building on the same lot, within the Hamlets of Brookville, Moffat and the portion of Campbellville not located within the NEP Area.

## Provincial Planning Statement

A new Provincial Planning Statement (PPS) came into effect on October 20, 2024. The PPS permits up to two ARUs on lands in a prime agricultural area. Where two ARUs are proposed, only one ARU can be located within a detached accessory building. Any ARUs in a prime agricultural area must comply with the minimum distance separation formulae (for calculating setback of dwelling units from livestock barns, manure storages or anaerobic digesters); be compatible with, and not hinder surrounding agricultural operations; have appropriate sewage and water services; address any public health and safety concerns; are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and minimize land taken out of agricultural production. The two ARUs permitted on a lot in a prime agricultural area are in addition to any farm worker housing.

While there are prime agricultural areas located within the Greenbelt Plan Area and the NEP Area, the Greenbelt Plan and NEP policies take precedence over the policies of the PPS to the extent of any conflict. As such, the PPS policies regarding ARUs in prime agricultural areas only apply to the prime agricultural areas outside of the Greenbelt Plan Area and the NEP Area, which are the parts of the Rural Area located south of the Urban Area.

The draft OPA and ZBA implements the policies of the PPS regarding ARUs in prime agricultural areas that are located outside of the Greenbelt Plan and the NEP by permitting up to two (2) ARUs. The PPS policies regarding not hindering surrounding agricultural operations, sewage and water services, public health, protection of agricultural land, etc. are included in the draft OPA.

## Private Servicing and Minimum Lot Size

All lots in the Town's Rural Area are served by private sewage servicing (i.e., septic systems). For conventional Class 4 sewage systems with a septic tank and leaching bed, sewage treated by the septic tanks drains from the leaching bed, before eventually reaching the water

## Discussion

table. A sewage leachate plume is formed that travels in the direction of ground water flow, which can travel 10's of metres or more, potentially impacting the water quality of private wells within the plume.

To avoid the potential impacts of sewage leachate plumes on public health and the environment, the draft ZBA proposes minimum lot sizes for accommodating ARUs served by private on-site servicing. For a lot with one (1) ARU, a minimum lot size of 0.625 hectares (1.544 acres) is being proposed. For a lot with two (2) ARUs, a minimum lot size of 0.875 hectares (2.162 acres) is being proposed. These minimum lot sizes are based on technical advice from a professional hydrogeologist and expert in well water and groundwater supply protection, who was retained to provide support for this rural ARU OPA and ZBA.

## Other Policies and Regulations

The draft OPA attached as Appendix A and B builds upon and amend the ARU policies that were established through the Urban Area ARUs amendment. The provincial policies that apply to ARUs in the Rural Area are implemented in the draft OPA. The policy changes being proposed in the draft OPA would also permit ARUs on lots in the Urban Area that are served by private on-site water and/or sewage servicing. A Zoning By-law Amendment for ARUs in the Urban Area is also being proposed to implement this policy change. Please see public meeting report DS-037-25 regarding the draft ZBA for ARUs in the Urban Area.

To implement the policies of the Official Plan and adequately regulate ARUs that may be permitted in the Rural Area, new zoning regulations are being proposed as part of the ZBA attached as Appendix C. ARUs are proposed to be permitted in the Rural Estate (RE), Rural Village (RV), Agricultural 1 (A1) and Agricultural 2 (A2) zones, subject to the applicable provincial policies. In all the aforementioned zones, the maximum size of an ARU is proposed to be 110 m<sup>2</sup> (1184 ft<sup>2</sup>), including any basement space not used for storage. Other zoning provisions include provisions such as minimum setbacks, maximum height, maximum building footprint, minimum parking, emergency access, etc.

## Consultations

Two public information sessions were held on May 29, 2025 and June 03, 2025 to explain the proposed changes in the draft OPA and ZBA to residents, and to obtain feedback and answer questions. Staff will consider any feedback received from the public information sessions, this public meeting, and any other feedback received before bringing the Official Plan and Zoning By-law amendments back to Council for consideration of adoption.

The draft OPAs and ZBA attached to this report have also been 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  
Commissioner, Development Services

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

Phone: Ext. 2296

## Attachments

Figure 1 - Map of the Rural Area

Appendix A - Draft Official Plan Amendment (Current Official Plan)

Appendix B - Draft Official Plan Amendment (New Official Plan)

Appendix C - 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.



Figure 1 - Map of the Rural Area



THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2025

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: LOPA-01/25.

**The** Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. THAT Amendment No. **XX** to the Official Plan of the Town of Milton, attached hereto, is hereby adopted.
2. THAT pursuant to Subsection 17(27.1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect on the day after the day it was adopted by Council, if no appeal is filed pursuant to Subsections 17 (24.1.1) and (25). Where an appeal has been filed under Subsection 17 (24.1.1) or (25) of the said Act, as amended, this Official Plan 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 **DATE**

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

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



**AMENDMENT NUMBER XX**

**TO THE OFFICIAL PLAN OF THE TOWN OF MILTON**

**PART 1 THE PREAMBLE, does not constitute part of this Amendment**

**PART 2 THE AMENDMENT, consisting of the following text constitutes  
Amendment No. XX to the Official Plan of the Town of Milton**

DRAFT

## **PART 1: THE PREAMBLE**

### **THE TITLE**

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. XX to the Official Plan of the Town of Milton  
(File: LOPA 01/25)

### **PURPOSE OF THE AMENDMENT**

The purpose of this amendment is to update the Town of Milton's Official Plan to permit additional residential units in the Town's rural areas, where permitted by provincial policies, and on lots that are served by private water and sewage services.

### **LOCATION OF THE AMENDMENT**

The policies apply Town-wide.

### **BASIS OF THE AMENDMENT**

To further advance the housing goals in the Town of Milton's Official Plan to provide opportunities for the creation of a range and mix of housing to meet the needs of the full range of current and future households, this amendment establishes policies that enable the creation of additional residential units in the Town's rural areas, where permitted by provincial policies, and on lots that are served by private water and sewage services, in a safe and sustainable manner.

## PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. **XX** to the Town of Milton Official Plan.

### DETAILS OF THE AMENDMENT

The Town of Milton Official Plan is hereby amended by Official Plan Amendment No. **XX**, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

1.0 Text Change (Additions are shown in red underline and deletions are shown in ~~yellow strikethrough~~)

No.	Section No.	Modification
	<i>2.7</i>	<i>Housing</i>
		<b>ADDITIONAL RESIDENTIAL UNITS</b>
1	2.7.3.17	<p>To increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, increase opportunities for <i>affordable housing</i>, and provide gentle intensification <u>in existing urban neighbourhoods</u>, <i>additional residential units (ARUs)</i> shall be permitted <del>within the Urban Area</del> subject to conformity with the following:</p> <p class="list-item-l1">a) An <i>ARU</i> shall not be located on lands identified as <i>hazard lands</i> or as being within the <i>regulatory flood plain</i>, unless where specifically permitted by the <i>Conservation Authority</i>;</p> <p class="list-item-l1">b) <u>Within the Greenbelt Plan Protected Countryside, but not including Hamlet Areas:</u></p> <p class="list-item-l2">i) <u>No <i>ARUs</i> shall be permitted within the Greenbelt Natural Heritage System as identified on Schedule 1A;</u></p> <p class="list-item-l2">ii) <u>Outside of the Greenbelt Natural Heritage System, one <i>ARU</i> is permitted within a detached dwelling or within an existing ancillary building or structure, that existed on July 1, 2017, on the same <i>lot</i>.</u></p> <p class="list-item-l1">c) <u>Within the areas of the Hamlet of Campbellville that are within the Niagara Escarpment Plan Area:</u></p> <p class="list-item-l2">i) <u>No <i>ARUs</i> shall be permitted within the Escarpment Natural area and the</u></p>

No.	Section No.	Modification
		<p><u>Escarpment Protection Area as identified on Schedule 1A;</u></p> <p>ii) <u>Within the Escarpment Rural Area, as identified on Schedule 1A, one ARU may be permitted within a detached dwelling, but shall not permitted within a detached accessory building or structure;</u></p> <p>iii) <u>An ARU shall not be permitted on a lot that has more than one detached dwelling, or within shared housing or a detached dwelling containing a bed and breakfast establishment;</u></p> <p>iv) <u>A home occupation or home industry shall not be permitted within an ARU;</u></p> <p>d) <u>Within prime agricultural areas outside of the Greenbelt Plan Area, as shown on Schedule O, up to two ARUs shall be permitted in accordance with provincial guidance, provided that at least one of these ARUs is located within or attached to the principal dwelling;</u></p> <p>e) <u>An ARU shall be compatible with, and not hinder, surrounding agricultural operations, and comply with the minimum distance separation formulae;</u></p> <p>f) <u>Where municipal wastewater and/or water service(s) are available to a lot, An an ARU must be connected to adequate any available municipal water and sewage wastewater and/or water services(s);</u></p> <p>g) <u>In the Urban Area, notwithstanding Section 2.6.3.34, and for all lands outside of the Urban Area, where municipal wastewater and/or water service(s) are not available to a lot, an ARU may be served by adequate private wastewater and/or water system(s) only where the site conditions are suitable for the long-term provision of such services, including capacity to service all other dwellings on the lot, with no negative impacts, as may be confirmed by a</u></p>

No.	Section No.	Modification
		<p><u>hydrogeological assessment prepared by a qualified professional;</u></p> <p>h) An <i>ARU</i> will be compatible with neighbouring properties and the surrounding neighbourhood <u>or rural area</u> by taking into consideration scale and built form;</p> <p>i) An <i>ARU</i> must have no adverse effect on stormwater management systems;</p> <p>j) An <i>ARU</i> must have no adverse effect on site drainage as demonstrated through a grading plan;</p> <p>k) Safe access to an <i>ARU</i> must be ensured by meeting fire and emergency service requirements;</p> <p>l) <u>On a lot designated for agricultural use, to minimize land taken out of agricultural production, an <i>ARU</i> must be of limited scale and be located within, attached, or in close proximity to the principal dwelling or farm building cluster;</u></p> <p>m) Severance of an <i>ARU</i> from the <i>lot</i> shall not be permitted; and</p> <p>n) An <i>ARU</i> shall be registered with the <i>Town</i> in accordance with the provisions of the Municipal Act.</p>
	4.4.	<i>AGRICULTURAL SYSTEM, AGRICULTURAL AREA &amp; PRIME AGRICULTURAL AREAS</i>
2	4.4.2	<p>Is modified by adding a new subsection after subsection e) as follows and renumbering the remaining subsections accordingly:</p> <p><u>f) additional residential units in accordance with the policies of Section 2.7.3.17;</u></p>
	4.4.4	Prime Agricultural Areas
3	4.4.4.2 b)	<p>b) Outside the Greenbelt Plan Area, permit non-agricultural uses within <i>Prime Agricultural Areas</i> only for:</p> <p>A) ...</p>

No.	Section No.	Modification
		<p>B) Extraction of <i>mineral aggregate resources</i> is permitted in <i>Prime Agricultural Areas</i> in accordance with Section 4.7.3.12.</p> <p><u>C) <i>additional residential units</i> in accordance with the policies of Section 2.7.3.17.</u></p>
	4.5	<b>HAMLET AREAS</b>
		<b>HAMLET RESIDENTIAL AREA</b>
4	4.5.3.3	<p>The permitted uses in the Hamlet Residential Area designation shall be single detached dwellings and existing semi-detached and duplex dwellings subject to the zoning by-law of the Town. In addition, home occupation and cottage industry uses and assisted and <i>shared housing</i> are permitted in conformity with the relevant policies of subsection 3.2.3.4, Assisted and <i>Shared Housing</i> and subsection 3.2.3.8, Home Occupations and Cottage Industries. <u><i>Additional residential units</i> are permitted in accordance with the policies of Section 2.7.3.17;</u></p>
	5.7	<b>LAND DIVISION</b>
		<b>GREENBELT PLAN PROTECTED COUNTRYSIDE, AGRICULTURAL RURAL AND ESCARPMENT AREAS</b>
5	5.7.3.13	<p><i>Single detached dwellings</i>, where permitted by policies of this Plan, are limited to one permanent dwelling per <i>lot</i> unless:</p> <ul style="list-style-type: none"> <li>i) the residential use is accessory to <i>agriculture</i> in which case <i>objectives</i> and <i>policies</i> relating to the Agricultural Area designation apply; <b>or</b></li> <li>ii) <u><i>additional residential units</i> are permitted in accordance with the policies of Section 2.7.3.17;</u> <u>or</u></li> </ul>

End of text



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### **LOCATION OF THE AMENDMENT**

The policies apply Town-wide.

### **BASIS OF THE AMENDMENT**

To further advance the housing goals in the Town of Milton's Official Plan to provide opportunities for the creation of a range and mix of housing to meet the needs of the full range of current and future households, this amendment establishes policies that enable the creation of additional residential units in the Town's rural areas, where permitted by provincial policies, and on lots that are served by private water and sewage services, in a safe and sustainable manner.

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No.	Section No.	Modification
	2.4.4	Prime Agricultural Area
1	2.4.4.3	Permit <i>agricultural uses</i> and <i>normal farm practices, agriculture-related uses</i> and <i>on-farm diversified uses</i> , <u>and additional residential units</u> , in accordance with the policies of this Plan, Niagara Escarpment Plan, Greenbelt Plan and applicable provincial guidance.
	3.1.1	Housing Options
2	3.1.1.11	Increase the supply of ground-related and rental housing and increase opportunities for <i>affordable housing</i> by permitting <i>additional residential units (ARUs)</i> <u>within the Urban Area</u> in accordance with the policies of this Plan.
	7.1.4	Additional Residential Units
3	7.1.4.1	<p>To increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, increase opportunities for <i>affordable housing</i>, and provide gentle intensification <u>in existing urban neighbourhoods</u>, <i>additional residential units (ARUs)</i> shall be permitted <u>within the Urban Area</u> subject to conformity with the following:</p> <p class="list-item-l1">a) An <i>ARU</i> shall not be located on lands identified as <i>hazard lands</i> or as being within the <i>regulatory flood plain</i>, unless where specifically permitted by the <i>Conservation Authority</i>;</p> <p class="list-item-l1">b) <u>Within the Greenbelt Plan Protected Countryside, but not including Hamlet Areas:</u></p> <p class="list-item-l2">i) <u>No ARUs shall be permitted within the Greenbelt Natural Heritage System as identified on Schedule 1;</u></p>

No.	Section No.	Modification
		<p>ii) <u>Outside of the Greenbelt Natural Heritage System, one ARU is permitted within a detached dwelling or within an existing ancillary building or structure, that existed on July 1, 2017, on the same lot.</u></p> <p>c) <u>Within the areas of the Hamlet of Campbellville that are within the Niagara Escarpment Plan Area:</u></p> <p>i) <u>No ARUs shall be permitted within the Escarpment Natural area and the Escarpment Protection Area as identified on Schedule 1;</u></p> <p>ii) <u>Within the Escarpment Rural Area, as identified on Schedule 1, one ARU may be permitted within a detached dwelling, but shall not permitted within a detached accessory building or structure;</u></p> <p>iii) <u>An ARU shall not be permitted on a lot that has more than one detached dwelling, or within shared housing or a detached dwelling containing a bed and breakfast establishment;</u></p> <p>iv) <u>A home occupation or home industry shall not be permitted within an ARU;</u></p> <p>d) <u>Within prime agricultural areas outside of the Greenbelt Plan Area, as shown on Schedule 5, up to two ARUs shall be permitted in accordance with provincial guidance, provided that at least one of these ARUs is located within or attached to the principal dwelling;</u></p> <p>e) <u>An ARU shall be compatible with, and not hinder, surrounding agricultural operations, and comply with the minimum distance separation formulae;</u></p> <p>f) <u>Where municipal wastewater and/or water service(s) are available to a lot, An an ARU must be connected to adequate any available</u></p>

No.	Section No.	Modification
		<p>municipal <del>water and sewage</del> <u>wastewater and/or water</u> services(s);</p> <p>g) <u>In the <i>Urban Area</i>, notwithstanding Section 3.7.1.21, and for all lands in the Rural Area, where municipal wastewater and/or water service(s) are not available to a <i>lot</i>, an <i>ARU</i> may be served by adequate private wastewater and/or water system(s) only where the site conditions are suitable for the long-term provision of such services, including capacity to service all other dwellings on the <i>lot</i>, with no <i>negative impacts</i>, as may be confirmed by a hydrogeological assessment prepared by a qualified professional;</u></p> <p>h) An <i>ARU</i> will be compatible with neighbouring properties and the surrounding neighbourhood <u>or rural area</u> by taking into consideration scale and built form;</p> <p>i) An <i>ARU</i> must have no adverse effect on stormwater management systems;</p> <p>j) An <i>ARU</i> must have no adverse effect on site drainage as demonstrated through a grading plan;</p> <p>k) Safe access to an <i>ARU</i> must be ensured by meeting fire and emergency service requirements;</p> <p>l) <u>On a <i>lot</i> designated for <i>agricultural use</i>, to minimize land taken out of agricultural production, an <i>ARU</i> must be of limited scale and be located within, attached, or in close proximity to the principal dwelling or farm building cluster;</u></p> <p>m) Severance of an <i>ARU</i> from the <i>lot</i> shall not be permitted; and</p> <p>n) An <i>ARU</i> shall be registered with the <i>Town</i> in accordance with the provisions of the Municipal Act.</p>
	9.2	Agricultural System



No.	Section No.	Modification
	9.2.2	Permitted Uses
4	9.2.2.1	Is modified by adding a new subsection after subsection e) as follows and renumbering the remaining subsections accordingly:  <u>f) additional residential units in accordance with the policies of Section 7.1.4.1;</u>
	9.2.4	Prime Agricultural Areas
5	9.2.4.2 b)	b) Outside the Greenbelt Plan Area, permit non-agricultural uses within <i>Prime Agricultural Areas</i> only for: i) ... ii) Extraction of <i>mineral aggregate resources</i> is permitted in <i>Prime Agricultural Areas</i> in accordance with Section 9.4.3.14; and <u>iii) additional residential units in accordance with the policies of Section 7.1.4.1;</u>
	9.3	Hamlet Area
		Hamlet Residential Area
6	9.3.3.3	The permitted uses in the Hamlet Residential Area designation shall be single detached dwellings and existing semi-detached and duplex dwellings subject to the zoning by-law of the Town. In addition, home occupation and cottage industry uses and assisted and <i>shared housing</i> are permitted in conformity with the relevant policies of subsection 8.2.7.4, Assisted and <i>Shared Housing</i> and subsection 8.2.7.8, Home Occupations and Cottage Industries. <u>Additional residential units are permitted in accordance with the policies of Section 7.1.4.1;</u>
	11.7	Land Division
		Greenbelt Plan Protected Countryside, Agricultural Rural and Escarpment Areas
7	11.7.3.14	<i>Single detached dwellings</i> , where permitted by policies of this Plan, are limited to one permanent dwelling per lot unless: i) the residential use is accessory to <i>agriculture</i> in which case <i>objectives</i> and <i>policies</i> relating to the Agricultural Area designation apply; <del>or</del> ii) <u>additional residential units are permitted in accordance with the policies of Section 7.1.4.1; or</u>

End of text

DRAFT

## 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 144-2003, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS SUBJECT TO ZONING BY-LAW 144-2003 WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-04-25).

**WHEREAS** the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 144-2003, as amended;

**AND WHEREAS** the lands affected by this By-law will comply with the Town of Milton Official Plan upon Official Plan Amendment No. XX taking full effect;

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

- 1.0 **THAT** Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the definition of **ACCESSORY APARTMENT**.
- 2.0 **THAT** Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the definitions of “**DWELLING UNIT**”, “**DWELLING, TOWNHOUSE**”, and “**LANDSCAPING, RESIDENTIAL**”, and replacing it with the following:

#### **DWELLING UNIT**

Means a room or group of rooms designed, occupied, or capable of being occupied as a single, self-contained housekeeping unit which contains separate sanitary facilities, living quarters, and cooking facilities.

#### **DWELLING, TOWNHOUSE**

Means a *building* divided vertically by *common walls* into 3 or more *dwelling units* above *grade*, exclusive of any *additional dwelling unit(s)*, whereby each *dwelling unit* has an independent entrance into the unit from the outside and whereby each unit has access to the *rear yard*.

#### **LANDSCAPING, PERMEABLE RESIDENTIAL**

Means landscaped surface areas (level or otherwise) that permit the infiltration of water into the ground such as grass, trees, shrubs, flowers or other plants, berms, river rock, and decorative stone, but does not include gravel or artificial turf, on a *lot* having a residential *use* containing four (4) or fewer *dwelling units*.

- 3.0 THAT Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the following definitions:

#### COMMON WALL

Means a wall jointly owned and jointly used by two (2) or more parties by right-in-law and separating two (2) or more *dwelling units*, garage, commercial, employment or institutional undertakings, each of which is a separate entity.

#### DWELLING UNIT, ADDITIONAL

Means a self-contained *dwelling unit* that is subordinate to a principal *dwelling unit* in a *detached dwelling*, *semi-detached dwelling*, semi-link dwelling, or *townhouse dwelling* and is located within the same *building*, or within an *accessory building* on the same *lot*, as the principal *dwelling unit*, but does not include an *accessory farm dwelling*.

- 4.0 THAT Section 3 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying the definitions below as follows (Note: deletions are shown as a strikethrough and additions are underlined):

#### DRIVEWAY, RESIDENTIAL

Means a hard ~~sloped~~ surface (consisting of, but not limited to, asphalt, concrete, patterned concrete, interlocking brick, or paving stone) on a *lot* having a residential *zone* containing less than four (4) *dwelling units*, exclusive of any *additional dwelling unit(s)*, upon which vehicles drive and park, and includes an adjacent hard surface, capable of being parked or driven upon by part or the whole of a *motor vehicle*, such as, but not limited to, walkways, banding, or curbing.

#### DWELLING, DETACHED

Means a *building* containing not more than one *dwelling unit*, exclusive of any ~~accessory~~ *additional dwelling unit(s)*.

#### DWELLING, DUPLEX

Means a *building* divided horizontally above grade into two *dwelling units*, exclusive of any *additional dwelling unit(s)*, where each unit has an independent entrance directly from the outside or through a common vestibule or common corridor.

#### DWELLING, MULTIPLE

Means a ~~*dwelling unit in a building*~~ containing four or more *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor but does not include a *townhouse dwelling*, *stacked townhouse dwelling*, *quattroplex dwelling* ~~or an~~, *apartment building*, or a residential *principal building* containing *additional dwelling unit(s)*.

## DWELLING, QUATTROPLEX

Means a *building* containing four *dwelling units* divided vertically and horizontally, and each of which has an independent entrance directly from the outside or through a common vestibule or common corridor, but does not include a residential principal building containing additional dwelling unit(s).

## DWELLING, SEMI-DETACHED

Means a *building* divided vertically by a common wall into two *dwelling units* above grade, exclusive of any additional dwelling unit(s).

## DWELLING, TRIPLEX

Means a *building* divided horizontally into three *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor, but does not include a residential principal building containing additional dwelling unit(s).

## GARDEN SUITE

Means a detached residential *structure*, containing bathroom and kitchen facilities that is an *accessory use* to an existing *dwelling unit* and is designed to be portable, and is permitted through a temporary use by-law, but does not include an additional dwelling unit or an accessory farm dwelling.

## PARKING AREA

Means an open area, other than a street, used for the temporary loading or unloading of service vehicles, or the temporary parking of two or more motor vehicles that includes ~~driveways~~, loading spaces, parking spaces and aisles and is available for public use as an accommodation for clients or customers or residents, and shall also include residential uses containing four or more *dwelling units* on the same lot, exclusive of any additional dwelling unit(s), but does not include the storing of impounded, wrecked and/or otherwise inoperable vehicles.

- 5.0 THAT Section 4.1 iii) of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the phrase “, under,” after the word “on”.
- 6.0 THAT Section 4.1.1.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the phrase “those containing an *additional dwelling unit*,” after the word “excluding”.
- 7.0 THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting Section 4.1.1.3 and replacing it with the following, including adding a new Table 4B and renumbering the subsequent tables in Section 4:

### 4.1.1.3 Regulations for *Accessory Buildings* containing an *Additional Dwelling Unit*

In addition to the requirements of Section 4.1, and 4.1.1.2 for a *detached garage*, an *accessory building* that contains a permitted *additional dwelling unit* in accordance with Section 4.25, is permitted subject to the following provisions:

TABLE 4B

PROVISIONS	Accessory Buildings containing an Additional Dwelling Unit			
	RLD	RMD1, RMD2	RE	RV
<b>Location</b> (Permitted)				
Front Yard			√	√
Interior Side Yard	√	√	√	√
Exterior Side Yard			√	√
Rear Yard	√	√	√	√
<b>Setbacks</b> (Minimum)				
Front Lot Line	N/A	N/A	24.0m	6.0m
Interior Side Lot Line	1.2m (*1)	1.2m (*1)	7.5m	6.0m
Ext. Side Lot Line	See Footnote (*2)	See Footnote (*2)	24.0m	6.0m
Rear Lot Line	1.5m (*3) (*4)	1.5m (*3) (*4)	15.0m	10.5m
Principal Building	3.5m (*5)	3.5m (*5)	5.5m (*5)	5.5m (*5)
<b>Total Gross Floor Area of the First Storey</b> (*6) (Maximum)	10% of the lot area or 110 m <sup>2</sup> , whichever is less (*7)	10% of the lot area or 110 m <sup>2</sup> , whichever is less (*7)	10% of the lot area or 110 m <sup>2</sup> , whichever is less (*7)	10% of the lot area or 110 m <sup>2</sup> , whichever is less (*7)
<b>Building Height</b> (Maximum)	3.5m for flat roof, or 4.3m for gable, hip, gambrel or mansard roof (*8) (*9)	3.5m for flat roof, or 4.3m for gable, hip, gambrel or mansard roof (*8) (*9)	6.0m for flat roof, or 7.0m for gable, hip, gambrel or mansard roof (*8)	6.0m for flat roof, or 7.0m for gable, hip, gambrel or mansard roof (*8)
<b>Lot Coverage</b> (Maximum)	See Footnote (*10)	N/A	See Footnote (*10)	See Footnote (*10)
<b>Other Provisions</b>	(*11) (*12)	(*11) (*12)		

Footnote(s) for Table 4B

- (\*1) Does not apply to a *detached garage* attached to a *detached garage* on an abutting lot.
- (\*2) No closer to an *exterior side lot line* than permitted for the *principal building*.
- (\*3) Notwithstanding the above, in the case of an *additional dwelling unit* located in a *detached garage* that is accessed by a *residential driveway* from a *lane* crossing



the *rear lot line*, the *detached garage* shall be *setback* a minimum 1.0 m from the *rear lot line*.

- (\*4) Notwithstanding the above, in the case of an *additional dwelling unit* located above a *detached garage*, the two-storey *accessory building* shall be *setback* a minimum 2.5 m from the *rear lot line*.
- (\*5) *Setback* includes any *structure* with a *roof* that may be attached to the *principal building*.
- (\*6) The maximum Floor Area of an *additional dwelling unit* within an *accessory building* is subject to Section 4.25.
- (\*7) Notwithstanding the above, in the case of a one-storey *detached garage* containing an *additional dwelling unit*, the *gross floor area* shall be a maximum of 10% of the *lot area* or 145 m<sup>2</sup>.
- (\*8) The *height* is measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater. In no case shall the overall height of the *accessory building* containing an *additional dwelling unit* exceed that of the *principal building* on the *lot*.
- (\*9) Notwithstanding the above, in the case of an *additional dwelling unit* located above a *detached garage*, the height of the two-storey *accessory building* shall not exceed 6.0 m in the case of a flat *roof* or 7.0 m in the case of a gable, hip, gambrel or mansard *roof*.
- (\*10) Subject to the *lot coverage* requirements of the applicable *zone*. Notwithstanding the definition of *Lot Coverage* in Section 3, the *accessory building* containing an *additional dwelling unit* shall be included in the *lot coverage* calculation.
- (\*11) Roof-top *amenity areas* shall not be permitted.
- (\*12) In addition to the other applicable requirements in this section, *lane access detached garages* shall be subject to the following:
  - i) The required outside *parking spaces* on a *lot* accessed by a *residential driveway* from a *lane* are:
    - A. located parallel to each other, whether in or outside of a *detached garage* or *carport*; and,
    - B. shall be located no farther than 6.0 m from the *rear lot line*.

**8.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is further amended by deleting Section 4.1.1.5 in its entirety and replacing it with the following:

#### **4.1.1.5 Heating, Ventilation and Air Conditioning Equipment (HVAC)**

- i) HVAC and emergency generators are permitted *accessory* to a *residential use* in the Residential *Zones* provided that:
  - a) They are located in the *rear yard* or *interior side yard*;
  - b) Not located any closer than 0.6 m to an *interior lot line* or a *rear lot line*;
  - c) Not located any closer than 1.2 m to an *exterior side lot line*; and
  - d) Not located on or over any easements in favour of the Town;

- ii) Notwithstanding 4.1.1.5 i) a), HVAC and emergency generators associated with an *accessory building* containing an *additional dwelling unit* in an RE or RV Zone may be located in the *front yard* or the *exterior side yard*, and
- iii) In addition to the requirements of subsection i), HVAC and emergency generators associated with an *accessory building* containing an *additional dwelling unit* shall be *setback* a minimum of 3.5 m from the *principal building*.

**9.0** THAT Section 4.1.1.6 of Comprehensive Zoning By-law 144-2003, as amended, is further amended by amending subsection ii) as follows (Note: deletions are shown as a strikethrough and additions are underlined):

- ii) It is attached to the *principal building* or to an *accessory building* containing an *additional dwelling unit*.

**10.0** THAT Section 4.1.1.7 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the phrase “, under,” after the word “on”; deleting “, and” at the end of subsection ii); deleting the “.” at the end of subsection iii) and by adding the following new subsections as follows:

- iv) Notwithstanding any provisions of Section 4.1.1.7 to the contrary, *decks* associated with an *accessory building* containing an *additional dwelling unit* in an RLD, RMD1, or RMD2 *Zone* shall not exceed 0.6 m above *grade* and in no case shall be higher than the floor of the *first storey*, and
- v) Notwithstanding any provisions of Section 4.1.1.7 to the contrary, *decks* associated with an *accessory building* containing an *additional dwelling unit* shall be subject to the minimum *setbacks* required for the *accessory building*.

**11.0** THAT Section 4.1.1.8 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the word “and,” at the end of subsection ii); by replacing the “.” at the end of subsection iv) with “; and,”; and by adding the following new subsections as follows:

- v) Notwithstanding any provisions of Subsection 4.1.1.8 to the contrary, *balconies* associated with an *accessory building* containing an *additional dwelling unit* shall comply with the minimum *setbacks* required for the *accessory building*, and
- vi) Notwithstanding any provisions of Subsection 4.1.1.8 to the contrary, *balconies* associated with an *accessory building* containing an *additional*

*dwelling unit* in an RLD, RMD1, or RMD2 *Zone* shall not be permitted on any wall facing an abutting residential *zone*.

**12.0** THAT Section 4.1.1.9 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting the word “and,” at the end of subsection ii); by replacing the “.” at the end of subsection iii) with “; and,”; and by adding new subsections iv) and v) as follows:

iv) Notwithstanding any provisions of Section 4.1.1.9 to the contrary, *porches/verandas* associated with a *principal building* shall be *setback* a minimum of 3.5 m to an *accessory building*, including a *detached garage*, containing an *additional dwelling unit*, and,

v) Notwithstanding any provisions of Section 4.1.1.9 to the contrary, the following provisions shall apply to a *porch/veranda* associated with an *accessory building* containing an *additional dwelling unit*.

a) Porches/Verandas shall not be located above the floor of the first *storey*, and,

b) Porches/verandas shall comply with the minimum *setbacks* required for the *accessory building*.

**13.0** THAT Section 4.1.2.2 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the phrase “but excluding those containing an *additional dwelling unit*,” after the word “*Carports*, ”.

**14.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new section after Section 4.1.2.2 as follows:

**4.1.2.2.1 Regulations for *Accessory Buildings and Structures*, Including *Detached Garages*, that contain an *Additional Dwelling Unit* in the Rural Zones**

i) Within the A1 and A2 *Zones*, *accessory buildings* and *structures*, including *detached garages*, that contain an *additional dwelling unit* are permitted in accordance with Section 4.25 and the following:

a. It maintains the minimum *yard* requirements of the applicable *zone*;

b. Complies with applicable special *setbacks* as set out in Section 4.18;

c. Does not exceed a maximum height of 9.0 m or the height of the *principal building*, whichever is less, measured from the *established grade* to the uppermost point of the *roof* surface or parapet, whichever is greater;

d. The *first storey* does not exceed a maximum *gross floor area* of 145 m<sup>2</sup>;

- e. Not more than two *accessory buildings*, including those containing an *additional dwelling unit*, exist on a lot that has a *lot* area of 0.8 hectares or less;
- f. Notwithstanding the definition of *Lot Coverage* in Section 3, the *accessory building* containing an *additional dwelling unit* shall be included in the *lot coverage* calculation;
- g. The exterior wall of the *accessory building* containing an *additional dwelling unit* closest to the *principal building* shall not be more than 30 m away from the closest exterior wall of the *principal building*; and
- h. An *accessory building* containing an *additional dwelling unit* must share the same *driveway* access from the street as the *principal building*.

**15.0** THAT Section 4.3 Table 4E (renumbered to 4F) of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding and/or modifying the following in the table (Note: deletions are shown as a strikethrough and additions are underlined):

<i>Structure</i>	<i>Required Setbacks</i>	<i>Maximum Distance</i>
<u>Window Wells</u>	<u>Interior Side Setback,</u> <u>Exterior Side Setback,</u> <u>Rear Setback</u>	0.55m into a required <u>interior side yard</u> , no closer than 1.2 m from an <u>exterior side lot line</u> , and no maximum into a required <u>rear yard</u>
<u>Stairs, Below Grade Accessing A Principal Building</u>	<u>Rear Setback, Exterior Side Setback</u>	No Maximum into a required <u>rear yard</u> and no closer than 1 m from an <u>exterior side lot line</u>

**16.0** THAT Section 4.3 of Comprehensive Zoning By-law 144-2003, as amended, is further amended by adding a new subsection iii) and Table 4F(I) as follows:

- iii) Notwithstanding any provision of this by-law to the contrary, no encroachments shall be permitted within the minimum *setbacks* required for an *accessory building* containing an *additional dwelling unit* except in accordance with the following:

TABLE 4F(I)

<i>Structure</i>	<i>Required Setbacks</i>	<i>Maximum Distance</i>
Eaves & Gutters	<i>Rear Setback, Interior Side Setback, Exterior Side Setback, or Setback from Principal Building</i>	0.45m provided that the eaves and gutters are a minimum of 2.0m above <i>grade</i>

**17.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new subsection xi) after subsection x) as follows:

xi) A *home occupation* is not permitted within an *additional dwelling unit* located in an *RV Zone* that is located within the Niagara Escarpment Plan Area as identified on Schedule F.

**18.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new subsection x) after subsection ix) as follows:

x) A *cottage industry or home industry* is not permitted within an *additional dwelling unit* located in an *RV Zone* that is located within the Niagara Escarpment Plan Area as identified on Schedule F.

**19.0** THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by deleting Section 4.18.1 in its entirety and replacing it with the following:

Notwithstanding all other provisions and standards of this By-law, no permanent *building or structure*, or *building* containing an *additional dwelling unit*, may be located within 7.0 metres of any natural gas transmission pipeline right-of-way. *Accessory structures* shall have a minimum *setback* of at least 3.0 metres from the limit of the right-of-way. No *building or structure* is permitted within 3 metres of the right-of-way.

**20.0** THAT Section 4.24 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by replacing subsection ii) and adding new subsection iii) as follows:

ii) *Parking* for a *short-term rental* shall be provided in accordance with Table 5D; and

iii) Notwithstanding any provisions of this by-law to the contrary, on a *lot* containing one or more *additional dwelling unit(s)*, the whole or a portion of only one *dwelling unit* on the *lot* may be used as a *short-term rental*.

21.0 THAT Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new section after Section 4.24 as follows:

#### 4.25 ADDITIONAL DWELLING UNITS

*Additional dwelling units* shall be permitted in accordance with the following:

- i) *Additional dwelling units* shall not be permitted on lands identified by a *Conservation Authority* as hazard lands or as being within the regulatory flood plain, unless specifically permitted by the *Conservation Authority* having jurisdiction;
- ii) In an RLD, RMD1 or RMD2 *Zone*, or on lands in an RV *Zone* that are not located within the Niagara Escarpment Plan Area as identified on Schedule F:
  - a) *additional dwelling units* are permitted within the following *buildings* where permitted by this by-law:
    - A. *Detached dwelling*;
    - B. *Semi-detached dwelling*;
    - C. *Semi-link dwelling*;
    - D. *Townhouse dwelling*; and
    - E. *Accessory building* located on the same *lot* as the foregoing;
  - b) A maximum of three (3) *additional dwelling units* are permitted on a *lot* that is served by municipal water and wastewater services;
  - c) A maximum of one (1) *additional dwelling unit* is permitted on a *lot* that is served by full or partial private water and wastewater services, subject to Section 4.25 vi) below;
  - d) Not more than one (1) *additional dwelling unit* shall be located in an *accessory building* on a *lot*;
- iii) On lands in an RV *Zone* that are located within the Niagara Escarpment Plan Area as identified on Schedule F:
  - a) *Additional dwelling units* shall not be permitted on lands within the Escarpment Natural Area and the Escarpment Protection Area as shown on Schedule F;
  - b) On lands within the Escarpment Rural Area as shown on Schedule F, one (1) *additional dwelling unit* is permitted in a *detached dwelling*;
  - c) An *additional dwelling unit* shall not be permitted on a *lot* that has more than one *detached dwelling*, or within *shared housing* or a *bed and breakfast establishment*;



- iv) In an A1, A2, or RE *Zone* that is located within the Greenbelt Protected Country Side Area as shown on Schedule G:
  - a) *Additional dwelling units* shall not be permitted on lands within the Greenbelt Natural Heritage System area as shown on Schedule G;
  - b) Outside of the Greenbelt Natural Heritage System, one *additional dwelling unit* is permitted within a *detached dwelling* or within an *accessory building* located on the same *lot* that existed on (or where building permits were issued prior to) July 1, 2017;
- v) In an A1 *Zone* that is not located within the Greenbelt Protected Country Side Area, a maximum of two (2) *additional dwelling units* are permitted on a *lot* and only one (1) *additional dwelling unit* may be located within an *accessory building* on the *lot* in accordance with Section 4.1.2.2.1;
- vi) An *additional dwelling unit* must connect to all available municipal water and/or wastewater service(s);
- vii) Where municipal services are not available, *additional dwelling units*, where permitted, may be on private service(s) provided that:
  - a) The *lot* is a minimum 0.625 ha in size for a *lot* with one (1) *additional dwelling unit*;
  - b) The *lot* is a minimum 0.875 ha in size for a *lot* with two (2) *additional dwelling units*; 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 the principal *dwelling unit*, the *additional dwelling unit(s)*, and any other dwellings on the *lot*;
- viii) An unobstructed pedestrian access with a minimum width of 1.2 m and minimum vertical clearance of 2.1 m shall be provided and maintained from the *street line* to the exterior entrance to the *building* that provides the most direct access to an *additional dwelling unit*;
- ix) Notwithstanding vii) above, the following encroachments shall be permitted within the minimum 1.2 m width of the unobstructed pedestrian access:
  - a) Utility metres;
  - b) Window wells with a maximum projection of 0.3 m;
  - c) Gates with a minimum unobstructed opening of 1.02 m; and,
  - d) *Stairs* and *landings* above *grade* in accordance with Section 4.25 ix);

- x) Notwithstanding any other provision of this by-law to the contrary, an above *grade* entrance meeting the minimum unobstructed pedestrian access requirements of Section 4.25 vii) and viii) and used as the entrance to an *additional dwelling unit* may be accessed by a landing provided it is less than 0.6 m above grade, has a maximum length and width of 0.9 m and in an RLD, RMD1, RMD2, or RV *Zone*, stairs are provided at both the front and rear of the *landing* as may be necessary to provide pedestrian access from the *front yard* to the *rear yard*;
- xi) In an RLD, RMD1, or RMD2 *Zone* where one or more *additional dwelling unit(s)* is located within a *principal building*:
- a) The Floor Area of each *additional dwelling unit*, or portion(s) thereof, located on the *first storey* or above shall not exceed 110 m<sup>2</sup>;
  - b) The total Floor Area of all *additional dwelling units*, or portion(s) thereof, located on the *first storey* or above, shall not cumulatively exceed a maximum of 50% of the Floor Area of the principal *dwelling unit*;
  - c) An *additional dwelling unit* that is located in a *basement* may occupy the entire *basement*, and
  - d) Notwithstanding any other provision of this by-law to the contrary, for the purposes of Section 4.25 x), Floor Area shall mean the total area of all floors of a *dwelling unit*, measured from the interior walls, excluding *basements*, *stairs* and *landings*, cold *cellars*, and unfinished mechanical rooms;
- xii) In an A1, A2, RE, or RV zone, where one or more *additional dwelling unit(s)* is located within a *principal building*:
- a) The Floor Area of each *additional dwelling unit* shall not exceed 110 m<sup>2</sup>;
  - b) Notwithstanding any other provision of this by-law to the contrary, for the purposes of Section 4.25 xi), Floor Area shall mean the total area of all floors of a *dwelling unit*, measured from the interior walls, excluding *basements* used for storage purposes, *stairs* and *landings*, cold *cellars*, and unfinished mechanical rooms;
- xiii) On a lot containing an *additional dwelling unit* within an *accessory building* in a RMD1 or RMD2 zone, the following minimum *permeable residential landscaping* shall be provided:

Dwelling Type	Minimum Percentage of <i>Lot</i> Area
<i>Detached Dwelling, Semi-Link Dwelling and Semi-Detached Dwelling</i>	35%
<i>Townhouse Dwelling</i>	25%

- xiv) The Floor Area of an *additional dwelling unit* within an *accessory building* shall not exceed the Floor Area of the principal *dwelling unit* or 110 m<sup>2</sup>, whichever is less. Notwithstanding any other provision of this by-law to the contrary, for the purposes of this provision, Floor Area shall mean the total area of all floors of a *dwelling unit*, measured from the interior walls, excluding *basements* used for storage purposes, *stairs* and *landings*, cold *cellars*, and unfinished mechanical rooms;
- xv) In addition to the regulations set out in this section, *accessory buildings* containing an *additional dwelling unit* shall be subject to the applicable regulations of Sections 4.1.1 and 4.1.2.
- 22.0** THAT Section 5.5.2 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new subsection iii) as follows and by renumbering the subsequent subsections and updating any references to those subsections throughout the by-law accordingly:
- iii) Notwithstanding ii) above, on a *lot* in an RLD, RMD1 or RMD2 *Zone*, where one or more *additional dwelling unit(s)* is located, the minimum size of a required *parking space* on a *residential driveway* shall be 2.50 m wide by 5.5 m in length;
- 23.0** THAT Section 5.5.2 vii) and viii) (formerly vi) and vii)) of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying the section as follows (Note: deletions are shown as a strikethrough and additions are underlined):
- vii) The following surface areas of a *lot* shall only be permeable residential landscaping, excluding permeable pavers, ~~a permeable Residential landscaped surface such as grass, trees, shrubs, flowers or other plants, river rock, decorative stone, etc. that permits the infiltration of water into the ground,~~ but may include a portion of a retaining wall that is not permeable:
- viii) No person shall drive and/or park *motor vehicles* on or over ~~Residential Landscaping~~ permeable residential landscaping area; and
- 24.0** THAT Section 5.13.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by modifying the following rows in Table 5D as follows (Note: deletions are shown as a strikethrough and additions are underlined):

Type or Nature of Use	Minimum Off-Street Parking Requirements
<del>Detached Dwelling</del> <del>Semi-Detached Dwelling</del> <del>Duplexes</del> <del>Triplexes</del> <u>Dwellings with individual driveway access from a public street</u>	<ul style="list-style-type: none"> <li>2 parking spaces per dwelling unit (*1) <del>+ 0.25 spaces per unit for visitors on a lot with four or more dwelling units</del></li> </ul>
<del>Townhouses</del> <del>Quattroplexes</del> <u>All other dwellings units</u>	<ul style="list-style-type: none"> <li>2 parking spaces per dwelling unit (*1) + 0.25 spaces per unit for visitors on a lot with four or more dwelling units</li> </ul>
<del>Accessory apartment</del> <u>Additional Dwelling Units</u>	<ul style="list-style-type: none"> <li>1 parking space per <del>accessory apartment</del> <u>additional dwelling unit</u></li> </ul>
<u>Short-Term Rental</u>	<ul style="list-style-type: none"> <li>1 parking space per short-term rental in addition to the required parking for the main dwelling unit (*2)</li> </ul>

Footnote(s) to TABLE 5D

(\*1) In an RLD, RMD1 or RMD2 Zone, where one or more additional dwelling unit(s) is located on the lot, a minimum of 1 parking space per dwelling unit shall be provided.

(\*2) An additional parking space shall not be required for a short-term rental where the short-term rental occupies the entire dwelling unit.

25.0 THAT Section 6.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding a new row for *additional dwelling units* in Table 6A as follows:

TABLE 6A

USE	ZONE						
	RLD Low Density	RMD1 Med. Density I	RMD2 Med. Density II	RHD High Density	RO Res./ Office	RE Rural Estate	RV Village Res.
<u>Additional Dwelling Units (*4)</u>	•	•	•			•	•

Footnotes for Table 6A Above

(\*4) *Additional dwelling units* are permitted in accordance with Section 4.25.

26.0 THAT Section 6.2 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding the phrase “Notwithstanding the foregoing, where one or more *additional dwelling unit(s)* is located on the *lot*, the maximum *lot coverage* shall be 45%” at the end of footnote (\*4) for Table 6B.

27.0 THAT Section 10.1 of Comprehensive Zoning By-law 144-2003, as amended, is hereby further amended by adding new rows for *additional dwelling units* in Table 10A as follows:

TABLE 10A

PERMITTED USES		
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	Agricultural	Rural
<i>Additional Dwelling Units (*5)</i>	•	•

**Footnotes For Table 10A Above**

(\*5) *Additional dwelling units* are permitted in accordance with Section 4.25.

**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 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.

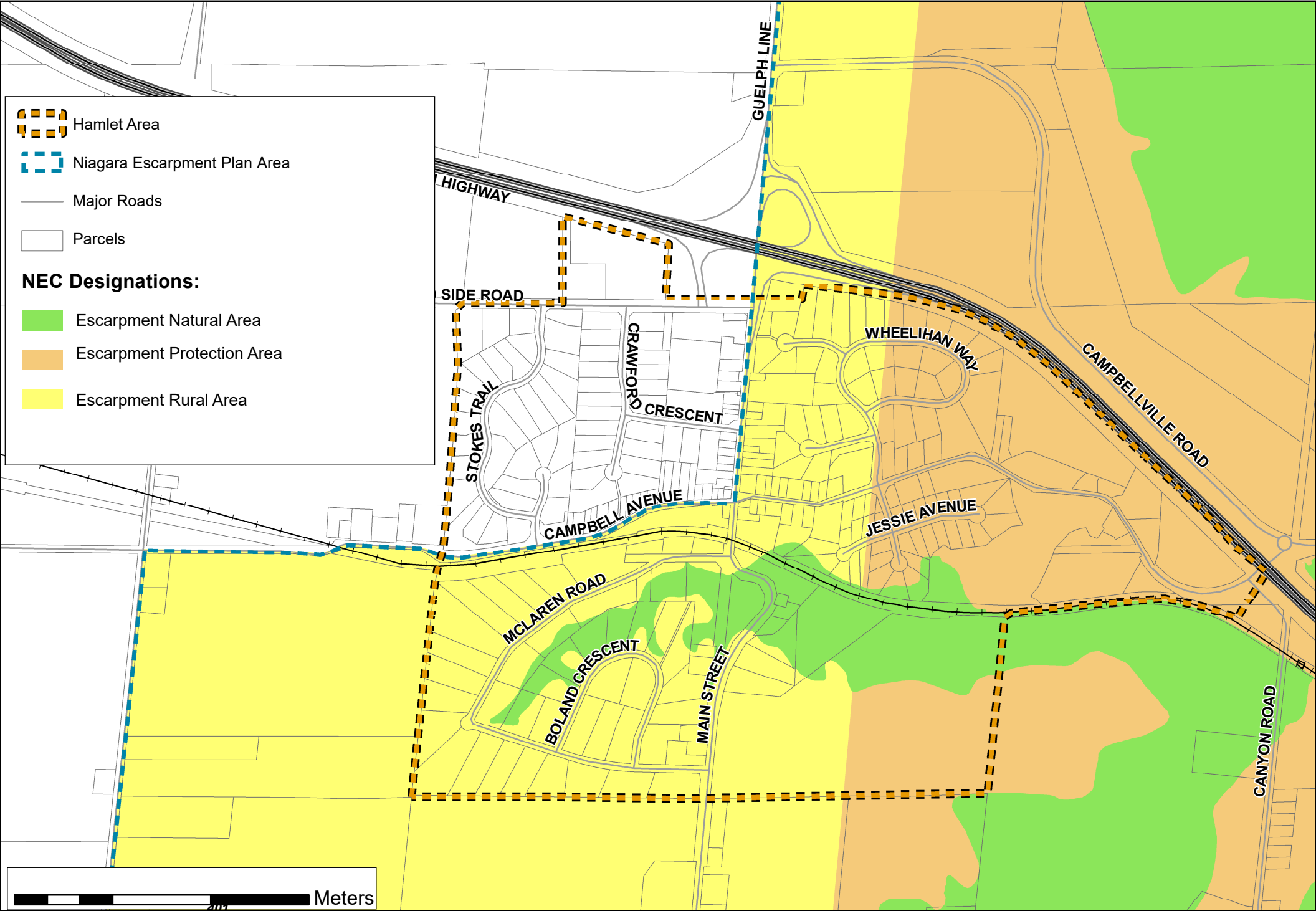
**PASSED IN OPEN COUNCIL ON....., 2025.**

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

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



- Hamlet Area
  - Niagara Escarpment Plan Area
  - Major Roads
  - Parcels
- NEC Designations:**
- Escarpment Natural Area
  - Escarpment Protection Area
  - Escarpment Rural Area



# Town of Milton:

## Zoning By-Law 144-2003

### Schedule G

### Greenbelt Natural Heritage System

DRAFT

