

## 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)				
<i>Front Yard</i>			√	√
<i>Interior Side Yard</i>	√	√	√	√
<i>Exterior Side Yard</i>			√	√
<i>Rear Yard</i>	√	√	√	√
<b>Setbacks</b> (Minimum)				
<i>Front Lot Line</i>	N/A	N/A	24.0m	6.0m
<i>Interior Side Lot Line</i>	1.2m (*1)	1.2m (*1)	7.5m	6.0m
<i>Ext. Side Lot Line</i>	See Footnote (*2)	See Footnote (*2)	24.0m	6.0m
<i>Rear Lot Line</i>	1.5m (*3) (*4)	1.5m (*3) (*4)	15.0m	10.5m
<i>Principal Building</i>	3.5m (*5)	3.5m (*5)	5.5m (*5)	5.5m (*5)
<b>Total Gross Floor Area of the First Storey (*6)</b> (Maximum)	10% of the <i>lot area</i> or 110 m <sup>2</sup> , whichever is less (*7)	10% of the <i>lot area</i> or 110 m <sup>2</sup> , whichever is less (*7)	10% of the <i>lot area</i> or 110 m <sup>2</sup> , whichever is less (*7)	10% of the <i>lot area</i> 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.

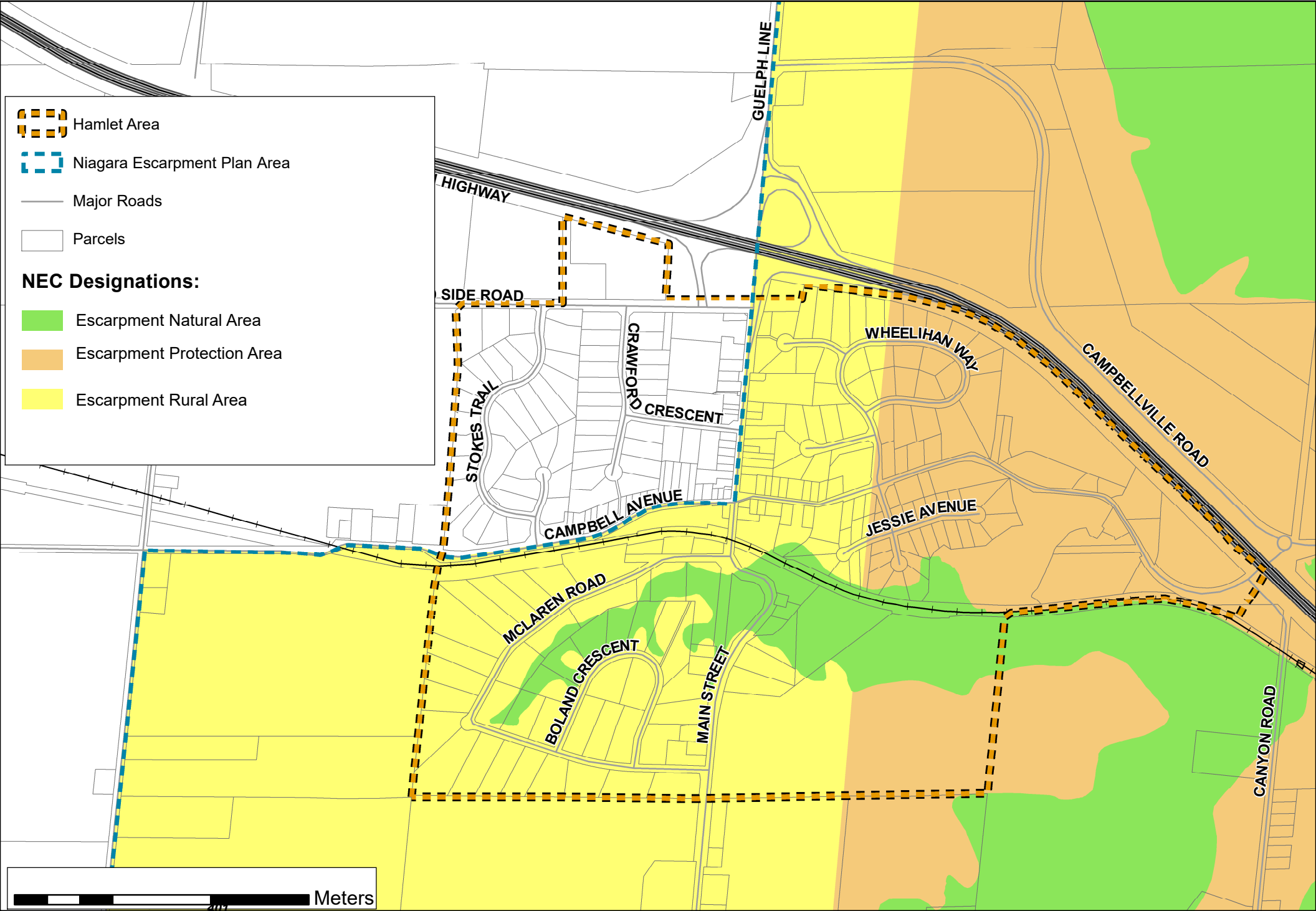
**PASSED IN OPEN COUNCIL ON....., 2025.**

\_\_\_\_\_  
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





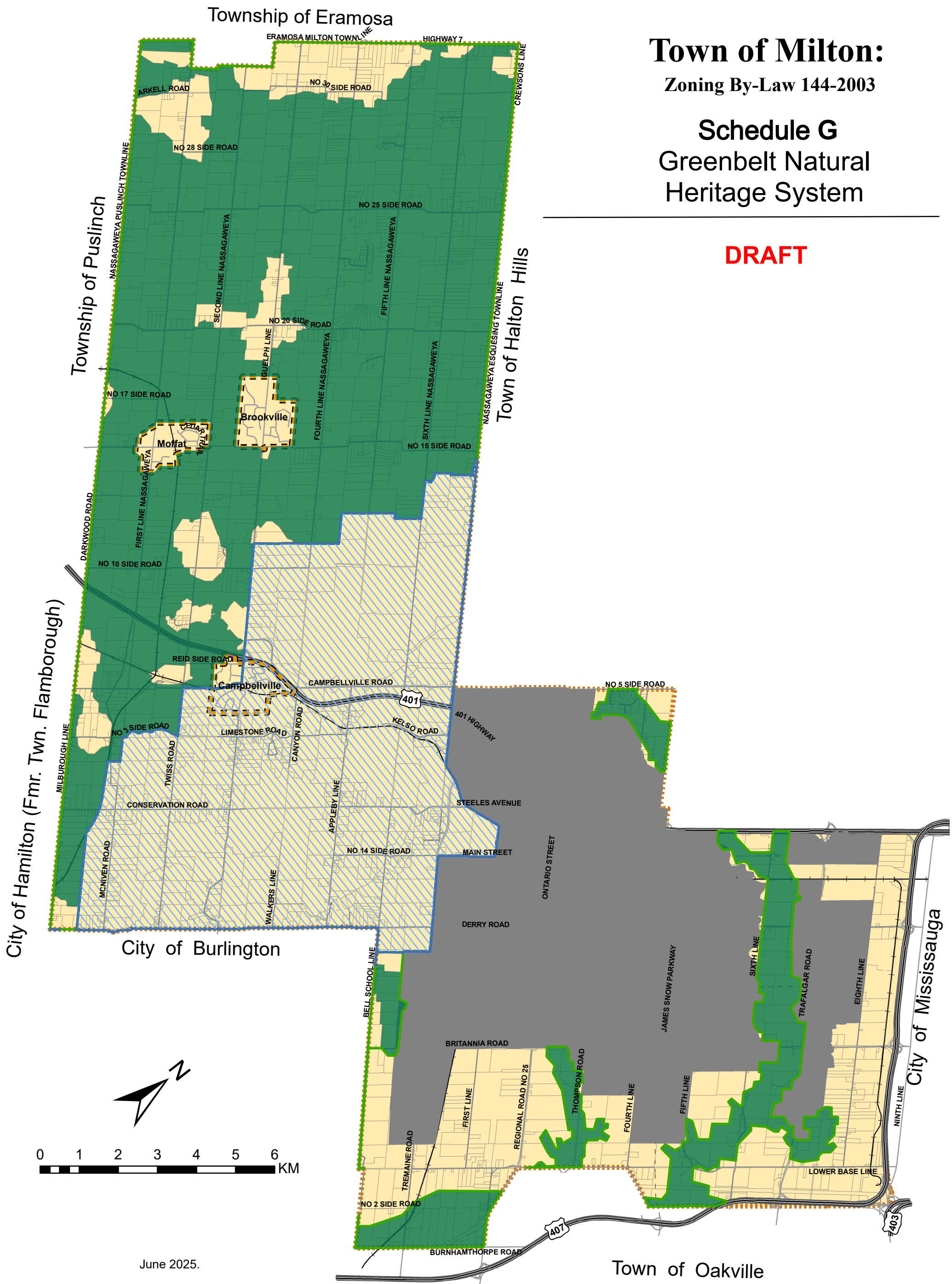
# Town of Milton:

## Zoning By-Law 144-2003

### Schedule G

### Greenbelt Natural Heritage System

DRAFT



June 2025.

