

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW 074-2022

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 6, CONCESSION 2 NS, BLOCK 360, REGISTERED PLAN 20M-1184, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (Shearling Heights Estates Ltd.) - FILE: Z-15/21

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

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

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Mixed Use (MU) zone symbol to a new site specific Mixed Use Zone with a Holding Provision (MU*323-H69) symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.323 to read as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Mixed Use (MU*323), the following provisions shall apply:

i) Additional Permitted Uses:

Townhouse Dwellings

ii) Special Site Provisions:

- a) The lands identified as MU*323 on Schedule A shall be considered one lot for the purposes of administering the Zoning By-law;
- b) Notwithstanding Footnote (*4) to Table 6A-1 to the contrary, the density calculation per net hectare shall include the total number of all dwelling units located on the lot;
- c) Minimum height of a bicycle parking space in a stacked system shall be 1.0m;
- d) An entrance/exit ramp to an underground parking structure shall be setback a minimum of 1.2m from a building;
- e) A loading space shall be setback a minimum of 8.4 m from a public street line;

- f) A loading space shall be setback a minimum of 1.5m from a building;
 - g) The below grade parking structure shall be setback a minimum of 2.5m from a street line or lot line;
- iii) Zone Standards for Townhouse Dwellings (Lane Access, All Other Streets):
- a) Notwithstanding Section 6.2 Table 6F, Townhouse Dwellings shall be subject to the zone provisions for the RMDII zone;
 - b) A 'unit' or parcel of tied land within a plan of condominium, on which a townhouse dwelling is situated, shall be considered a lot for the purpose of administering the zoning by-law;
 - c) The rear lot line shall be the lot line over which the driveway access is provided.
 - d) Maximum building height shall be 13.5 m;
 - e) Minimum lot depth shall be 23.0 m;
 - f) Minimum lot frontage for corner end unit shall be 7.6m;
 - g) Minimum rear yard shall be 3.0 m;
 - h) Minimum exterior side yard shall be 1.5 m;
 - i) Rooftop amenity area shall be permitted as private amenity area;
 - j) Notwithstanding Section 5.6.2 iii), a residential driveway shall be setback a minimum of 3 m from a lot line abutting a public street;
 - k) Maximum width of a residential driveway, on which a townhouse dwelling unit is situated, shall not exceed the width of the garage face;
 - l) A residential driveway leading to an attached garage in the rear yard shall be permitted; and,
 - m) Section 5.6.2 viii) b) shall not apply.
- iv) Zone Standards for Multiple Dwellings:
- a) Minimum setback from a street line shall be 2.5 m;
 - b) Rooftop amenity area shall be permitted as private amenity area;
 - c) The Setbacks to All Other Zones and Grade Related Dwellings provision is not applicable;
 - d) The Access to at-grade units provision is not applicable; and,
 - e) Notwithstanding Section 4.5 to the contrary, balconies shall be permitted in any yard
- v) Zone Standards for Mixed Use Buildings and Apartment Buildings:
- a) Maximum building height shall be 12 storeys and 42.0 m;
 - b) The Setbacks to All Other Zones and Grade Related Dwellings provision is not applicable;

- c) The access to at-grade units provision shall not apply to apartment dwelling units located at grade that do not have any exterior walls facing a public street;
- d) Where balconies are oriented towards an arterial road, they are permitted above 4.0 m from established grade;
- e) A transformer may project towards a public street beyond the main wall of a building;
- f) All outdoor open space areas shall be considered outdoor communal amenity space; and,
- g) Notwithstanding Section 4.19.5 Table 4H to the contrary, balconies may project a maximum distance of 2.0 m into a required yard.

3. **THAT** Section 13.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following conditions for the removal of the “H69” Holding Provision as follows:

“H69” - Shall not be removed until:

- a) The Owner submits an updated noise mitigation report and implements any recommendations to the satisfaction of CN Rail
- b) The Owner has provided a suitable storm water outlet to the satisfaction of the Town of Milton

4. **THAT**, If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal’s Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON JULY 18, 2022

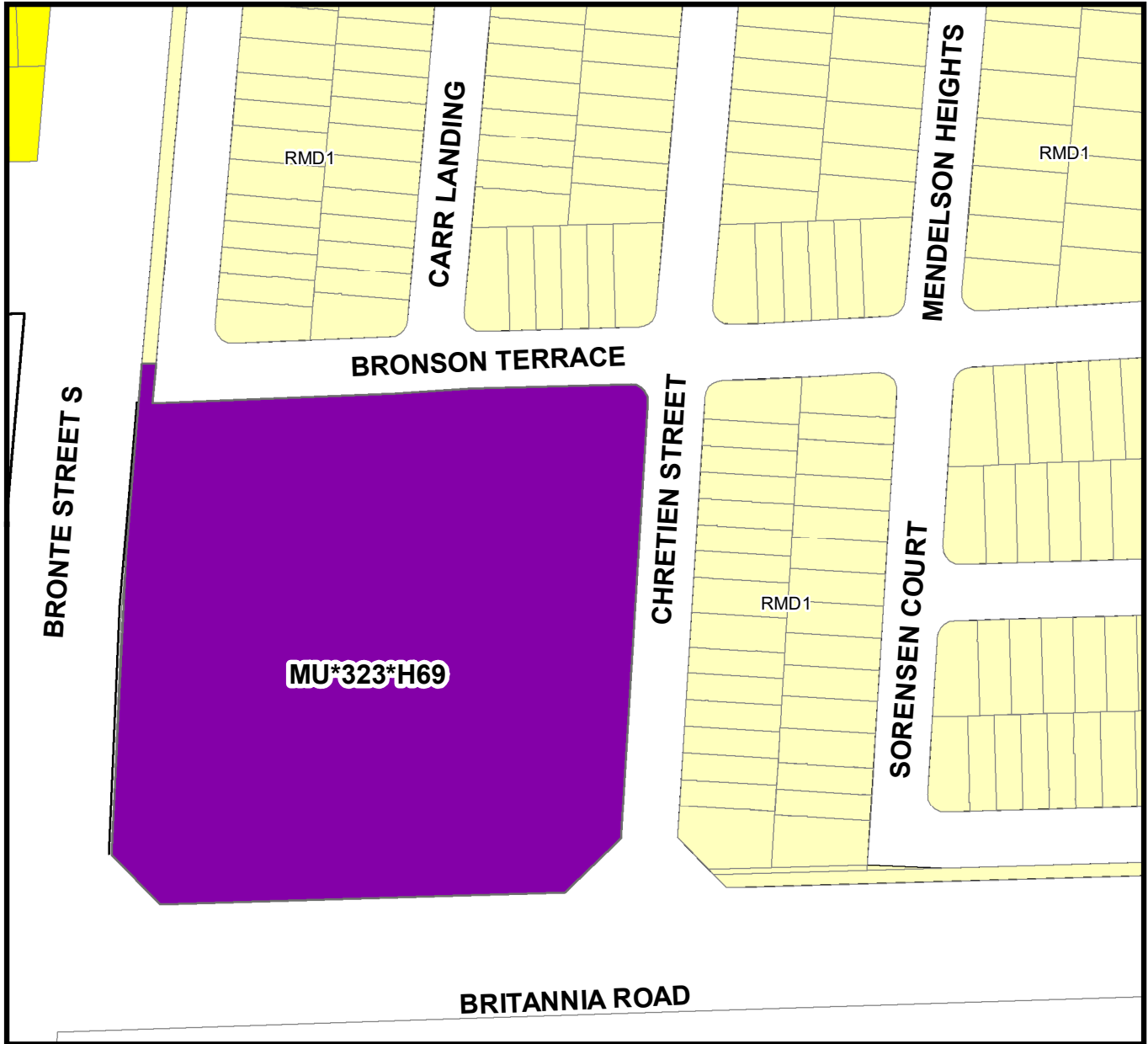
Gordon A. Krantz Mayor

Meaghan Reid Town Clerk


SCHEDULE A
TO BY-LAW No. 074-2022

TOWN OF MILTON

PLAN 20M1184 BLK 360
Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. 074-2022 PASSED
THIS 18TH DAY OF JULY, 2022.

 MU*323*H69 - Mixed use zone special with holding

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

