

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO. 089-2022

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 ALL LANDS WITHIN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (TOWN FILE: Z-18/21)

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

AND WHEREAS the Town of Milton Official Plan will provide for the lands affected by this by-law to be zoned as set forth in this By-law upon the approval of Official Plan Amendment No. 70;

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 parts of the existing Central Business District Secondary Commercial *Zone* (CBD-B) symbol to the Urban Growth Centre - Mixed Use *Zone* (UGC-MU) symbol; parts of the existing Urban Growth Centre - Mixed Use *Zone* (UGC-MU) symbol to the Central Business District Secondary Commercial *Zone* (CBD-B) symbol; the existing Residential High Density *Zone* (RHD) symbol to the Urban Growth Centre - Mixed Use *Zone* (UGC-MU) symbol; and by modifying the Urban Growth Centre - Mixed Use 2 *Zone* (UGC-MU-2); and by adding a (H) symbol to the Urban Growth Centre - Mixed Use *Zone* (UGC-MU) symbol and the Urban Growth Centre - Mixed Use 2 *Zone* (UGC-MU-2) symbol on the lands shown on Schedule A attached hereto.
2. **THAT** Schedule 'B1' - 'Milton GO MTSA - Cash-In-Lieu Parking Policy Area', attached hereto as Schedule B to this by-law, is added to Comprehensive Zoning By-law 016-2014, as amended.
3. **THAT** Schedule 'D' to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing it with a new Schedule 'D' and Schedule 'D1' attached hereto as Schedules C and C1 to this by-law.
4. **THAT** Schedule 'E1' - 'Milton GO MTSA - Active Frontage Areas' attached hereto as Schedule D to this by-law, is added to Comprehensive Zoning By-law 016-2014, as amended.
5. **THAT** Schedule 'G' - 'Milton GO MTSA - Minimum Block Level Densities' attached hereto as Schedule E to this by-law, is added to Comprehensive Zoning By-law 016-2014, as amended.

6. **THAT** Section 1.11.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing Subsection 1.11.2 i) with the following:
- i) Nothing in this By-law shall prevent the erection or *use* of a *building* or *structure* for a development for which a complete application for site plan approval and/or *building* permit was filed on or prior to the date of passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, if the development in question complies or the *building* permit application for the development is amended to comply, with the provisions of Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable.
7. **THAT** Section 1.11.3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing Subsections 1.11.3 i) and ii) with the following:
- i) Nothing in this By-law shall prevent the issuance of a *building* permit or site plan approval in accordance with both Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, and a related minor variance that was granted approval by the Town of Milton Committee of Adjustment or the Ontario Land Tribunal, under Comprehensive Zoning By-law 016-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable, so long as the complete application for the *building* permit has been filed by the date of compliance with the conditions pursuant to the decision of the Town of Milton Committee of Adjustment or the decision of the Ontario Land Tribunal.
 - ii) Notwithstanding the provisions of Section 1.11.2 i), an application for minor variance associated with a complete application for site plan approval and/or *building* permit that was filed prior to the date of the passage of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property, can still be made under the provisions of Comprehensive Zoning Bylaw 16-2014, as amended, as it read on the date of passage of By-law NO. 081-2020 or 089-2022, as applicable.
8. **THAT** Section 1.11.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by replacing Section 1.11.5 i) with the following:
- i) Sections 1.11.2 i), 1.11.3 i), and 1.11.3 ii) are repealed two years from the date of enactment of By-law NO. 081-2020 or 089-2022, whichever by-law applies to the subject property.
9. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Ancillary Residential Uses* as follows:

ANCILLARY RESIDENTIAL USES

Means those uses which are supplementary to an *Apartment Building*, a *Dwelling*, *Retirement* or a *Mixed Use Building* including the common indoor

areas located within a *building* which are intended primarily for access, dining, or recreational purposes for the occupants of a *building* and includes stairs, lobbies, elevators, mail room, mechanical facilities, storage, and facilities for a concierge.

10. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Angular Plane* as follows:

ANGULAR PLANE

Means an imaginary inclined plane projecting over a *lot* at a specified angle from the horizontal and measured from a defined point.

11. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Compatibility Study(ies)* as follows:

COMPATIBILITY STUDY(IES)

Means a study that assesses potential adverse effects and recommends separation distances and mitigation measures, if needed, to limit impacts to surrounding land uses.

12. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Electric Vehicle Charging Station* as follows:

ELECTRIC VEHICLE CHARGING STATION

Means the minimum of a level two charging outlet for electric vehicles, as defined by SAE International J1772 or an equivalent standard.

13. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Electric Vehicle Charging Station, Roughed-In* as follows:

ELECTRIC VEHICLE CHARGING STATION, ROUGHED-IN

Means the installation of electric vehicle charging infrastructure during building construction to allow for the later installation of an *electric vehicle charging station*.

14. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Floor Plate Area* as follows:

FLOOR PLATE AREA

Means the horizontal *floor area* of a single floor measured from all the exterior walls of a *building* or *structure*, excluding *balconies*.

15. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the defined term *Floor Space Index* as follows:

FLOOR SPACE INDEX

Means the ratio of the *gross floor area* of all above grade *buildings* or *structures*, including *parking structures*, to *lot area*. The *floor plate area of premises* owned by a *public authority* for a *public use* is excluded from the *gross floor area* for the calculation of *floor space index*.

16. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Guest Suite or Unit* as follows:

GUEST SUITE OR UNIT, APARTMENT

Means a room within an *apartment building* or a *mixed use building* that is not connected to an *apartment dwelling* that can be used temporarily by visitors to the *building* as overnight accommodation, which may include a bedroom and bathroom, but shall not include kitchen facilities. A *Guest Suite or Unit* does not constitute an *apartment dwelling* and shall not be subject to required *parking*.

17. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the defined term *Mixed Use Building* as follows:

MIXED USE BUILDING

Means a *building* which contains both residential *dwelling units* and non-residential (i.e. commercial, retail, office) *uses*; and where the residential *uses* are separated horizontally and/or vertically from the non-residential *uses*. An *apartment building*, a *dwelling*, *live-work unit*, and a *building* with only *dwelling units* are not *mixed use buildings*.

18. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Parking Space, Bicycle (Long-Term)* as follows:

PARKING SPACE, BICYCLE (LONG-TERM)

Means a *bicycle parking space* located within a *building* for use by occupants or tenants of a *building*.

19. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Parking Space, Bicycle (Short-Term)* as follows:

PARKING SPACE, BICYCLE (SHORT-TERM)

Means a *bicycle parking space* for use by visitors to a *building* and may be provided either inside or outside of the *building*.

20. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Podium* as follows:

PODIUM

Means the base of a *building* that is distinguished from the uppermost floors of a mid-rise *building* or the *tower* portion of a tall building by being set forward or articulated architecturally.

21. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Step Back* as follows:

STEP BACK

Means the horizontal distance from a *main wall* on the lower floors of a *building* to a *main wall* on the uppermost floors of a mid-rise *building* or the *tower* portion of a tall *building*, projecting *balconies* excepted.

22. **THAT** Section 3 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a definition for *Tower* as follows:

TOWER

Means the portion of a tall *building* above the *podium* including the *tower* top or crown.

23. **THAT** Section 4.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding *mixed use buildings* to clause ii) as follows:

ii) Notwithstanding the above, *balconies* are permitted in all *yards* for *apartment buildings* and *mixed use buildings* only, and;

24. **THAT** Section 4.16 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection ii) as follows and renumbering the remaining subsections accordingly:

ii) Notwithstanding i) above, *outdoor retail display* is permitted in a required *front* or *exterior side yard* in the UGC-MU *Zone*;

25. **THAT** Section 4.18 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new subsection vi) as follows and renumbering the remaining subsections accordingly:

vi) Notwithstanding v) above, a *restaurant* patio is permitted 0.0m from any *street line* in the UGC-MU *Zone*;

26. **THAT** Section 4.21.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding “minimum *lot* density(FSI)” and “maximum surface *parking area* on a *lot*” as follows:

A *lot* in existence prior to the effective date of this By-law, or capable of being legally conveyed in accordance with the Planning Act, that does not meet the *lot area*, *lot depth*, *lot frontage*, minimum *lot* density (FSI) and/or maximum surface *parking area* on a *lot* requirements of the applicable *Zone*, may be used and *buildings* thereon may be erected, enlarged, repaired or renovated

provided the *use* conforms with the By-law and the *buildings* or *structure* comply with all of the other provisions of this By-law.

27. **THAT** Section 5.5 iii) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding 'Schedule B1' as follows:

- iii) Notwithstanding i) and ii) above, any *building* containing a permitted principal non-residential *use(s)* within the 'Cash-in-lieu Parking Policy Area' as shown on Schedule B or Schedule B1 to this By-law may provide payment to the satisfaction of the Town for cash-in-lieu of required *parking* for the non-residential *use(s)* only;

28. **THAT** Section 5.5 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding 'Section 5.5.1 Parking in the Central Business District UGC-MU and UGC-MU2 Zones' as follows:

5.5.1 Parking in the Central Business District UGC-MU and UGC-MU2 Zones

- i) A surface *parking area* at grade is not permitted to occupy more than 20% of the *lot* area;
- ii) Visitor *parking* associated with a residential *use*, and client *parking* associated with a permitted non-residential *use*, may be provided in any combination of a *parking* structure and a *parking area* and may be used for any combination of residential and permitted non-residential *uses*;
- iii) No part of a *parking area* or *parking* structure is permitted within a *front yard* or an *exterior side yard*;
- iv) Notwithstanding Section 5.1 iv), a parking stacker system shall be permitted in a *parking* structure and required *parking* may be provided by means of a parking stacker system. When *parking* is provided by means of a parking stacker system, the minimum *parking* stall size shall be 2.75 metres in width and 5.8 metres in length (mechanisms and equipment associated with the parking stacker are permitted within the minimum *parking* stall dimensions), except that the lower *parking* stall and the elevated platform above such *parking space* may have dimensions of not less than 2.4 metres by 5.0 metres unobstructed;
- v) Notwithstanding Section 5.1 ix), *loading spaces* and/or areas may be provided inside of a *building*;
- vi) Notwithstanding Section 5.14, a *parking* structure that projects above *established grade* is not permitted within the first 9.0 metres of the depth of the *building* measured horizontally from the *main wall* facing a *street*, and the first 4.5 metres of *height* of the *building* measured vertically from the top of the floor of the *first storey* to the top of the floor of the second *storey* within that depth.

29. THAT Section 5.8 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 5D as follows:

TABLE 5D

Type	REQUIRED DIMENSIONS		
	Minimum Length	Minimum Width	Minimum Vertical Clearance
Angle - <i>Parking Space</i>	6.5m	2.75m	N/A
Parallel - <i>Parking Space</i>	6.5m	2.75m	N/A
Perpendicular - <i>Parking Space</i>	5.8m	2.75m	N/A
Accessible- <i>Parking Space</i>			N/A
Type A	5.8m	3.4m (*1)	
Type B	5.8m	2.75m (*1)	
<i>Loading Space</i>	12.0m	3.5m	4.2m
<i>Loading Area</i>	6.0m	3.5m	3.0m
<i>Queuing Space</i>	6.0 m	3.0	N/A
<i>Bicycle - Parking Space (Horizontal)</i>	1.8m	0.6m	1.9 m
<i>Bicycle – Parking Space (Vertical) (*2)</i>	1.2m	0.4m	1.9 m

Footnote(s) to TABLE 5D

(*1) An accessible aisle must be provided adjacent to an *accessible parking space* with a minimum width of 1.5m and length of 5.8m. Adjacent *accessible parking spaces* may share one access aisle.

(*2) A *long term bicycle parking space* placed in a vertical position on a wall, structure or mechanical device.

30. THAT Section 5.8.1 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 5E as follows:

TABLE 5E

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Dwellings with individual driveway access from a public street</i>	<ul style="list-style-type: none"> 2 <i>parking spaces per dwelling unit</i>
<i>Apartment Buildings</i>	<ul style="list-style-type: none"> 1.5 <i>parking spaces per unit</i> <u>PLUS</u> 0.25 <i>parking spaces</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>
UGC-MU <i>Apartment Buildings (*1)</i>	<ul style="list-style-type: none"> 1 <i>parking space per dwelling unit</i> <u>PLUS</u> 0.20 <i>parking spaces per dwelling unit</i> for visitor <i>parking</i> in a designated visitor <i>parking area</i>
<i>Upper-Floor Dwelling Units</i>	<ul style="list-style-type: none"> 1 <i>parking space per dwelling unit</i>
<i>Accessory Dwelling Units</i>	<ul style="list-style-type: none"> 1 <i>parking space per accessory dwelling unit</i>

Type or Nature of Use	Minimum Off-Street Parking Requirements
All other <i>dwelling units</i>	<ul style="list-style-type: none"> • 2 <i>parking spaces</i> per <i>dwelling unit</i> <u>PLUS</u> • 0.25 <i>parking spaces</i> per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i>
<i>Bed and Breakfast Establishments</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for each room or suite used for the purposes of lodging for the traveling public, in addition to the required parking for the <i>dwelling unit</i>
<i>Shared Housing</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for each staff member per working shift in addition to the required parking for the <i>dwelling unit</i> type
<i>Home occupation</i>	<ul style="list-style-type: none"> • Home occupations that have customers, clients or patients attending the dwelling, shall provide one (1) parking space in addition to the required parking for the residential use.
<i>Cottage Industry / Home Industry</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for each employee in addition to the parking requirements for the residential or other principal use.
<i>Private Home Daycare</i>	<ul style="list-style-type: none"> • No requirement
<i>Long-Term Care Facility</i>	<ul style="list-style-type: none"> • 0.33 <i>parking spaces</i> per bed
<i>Dwelling, Retirement</i>	<ul style="list-style-type: none"> • 0.5 <i>parking spaces</i> per bed

31. **THAT** Section 5.8.1 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a footnote for Table 5E as follows:

(*1) For lands within the UGC-MU designation shown to contain a star symbol followed by a number on schedules to this By-law, the special *parking* provisions in Section 13.1.1 of this By-Law shall only apply where the required *parking* rate is less than the *parking* requirements in Table 5E.

32. **THAT** Section 5.8.2 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 5F as follows:

TABLE 5F

Zones	Minimum Off-Street <i>Parking</i> Requirements
C2, C3, C6, MC	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20m² of <i>gross floor area</i>

Zones	Minimum Off-Street <i>Parking</i> Requirements
<p>UGC-MU and UGC-MU-2</p> <p>(applicable to buildings and the gross floor area contained therein as they legally existed on December 14, 2015 only)</p>	<ul style="list-style-type: none"> 1 parking space per 40 m² of gross floor area, except for the following uses and circumstances: <ul style="list-style-type: none"> - Banquet Facility; - Hotel; - Night Club; - Place of Entertainment; - Place of Worship; - Theatre; and, - Buildings for which site specific parking provisions are already contained in this By-law
<p>MU (*2)</p> <p><i>Mixed Use Buildings</i></p>	<ul style="list-style-type: none"> 1.25 <i>parking space per dwelling unit</i> <u>PLUS</u> The greater of 0.25 <i>parking spaces per residential dwelling unit</i> for visitor parking or 1 <i>parking space per 25 m² of gross floor area</i> for permitted non-residential uses in a <i>mixed use building</i>
<p>UGC-MU</p> <p><i>Mixed Use Buildings (*1) (*2)</i></p>	<ul style="list-style-type: none"> 0.8 <i>parking space per dwelling unit</i> <u>PLUS</u> The greater of 0.2 <i>parking spaces per dwelling unit</i> for visitor parking or 1 <i>parking space per 30 m² of gross floor area</i> for permitted non-residential uses in a <i>mixed use building</i>

33. **THAT** Section 5.8.2 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding footnotes for Table 5F as follows:

(*1) For lands within the UGC-MU designation shown to contain a star symbol followed by a number, on schedules to this By-law, the special *parking* provisions in Section 13.1.1 of this By-Law shall only apply where the required *parking* rate is less than the *parking* requirements in Table 5F.

(*2) The *parking* rate for *mixed-use buildings* shall apply to all *dwelling units in buildings* sharing a mutual *podium*.

34. **THAT** Section 5.10 i) of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 5I as follows:

TABLE 5I

Type or Nature of Use	Minimum Bicycle Parking Spaces
<i>Apartment Building and Mixed Use Building</i>	0.5 long term bicycle parking space/ unit (*1) PLUS 0.05 short term bicycle parking space/unit (*2)
UGC-MU <i>Apartment Building and Mixed Use Building</i>	1 long term bicycle parking space/ unit (*1) PLUS 0.05 short term bicycle parking space/unit (*2)
<i>Dwelling, Retirement</i>	0.1 spaces/ unit
Elementary and Secondary Schools	5% of the required parking spaces for the use or lot
All other Commercial, Employment and Institutional Uses	3% of the required parking spaces for the use or lot

Footnotes to Table 5I:

(*1) Long-term bicycle parking spaces must be provided in a bicycle rack located in an enclosed, secure area with controlled access or within individual, secure, bicycle enclosures/lockers for use by the occupants of a *building*.

(*2) Short-term bicycle parking spaces must be provided in a bicycle rack located in an easily accessible location and available for visitors to a *lot* or *building*.

35. **THAT** Section 5.10 vi) of Comprehensive Zoning By-law 016-2014, as amended is hereby further amended by replacing 'Central Business District' with 'Parking Policy Area shown on Schedule C' as follows:

vi) Notwithstanding Section 5.10 i) to v) the following exceptions apply:

Any property located within the Parking Policy Area shown on Schedule C shall not be subject to provide *bicycle parking spaces*, and;

36. **THAT** Section 5 of Comprehensive Zoning By-law 016-2014, as amended is hereby further amended by adding Section 5.19 'Requirements for Electric Vehicle Charging Stations in the UGC-MU and UGC-MU2 Zones' as follows:

TABLE 5O

Type or Nature of Use	Minimum EV Charging Station Requirement
UGC-MU	Where the required number of <i>parking spaces</i> is 100 spaces or more, a minimum of 25% of the required <i>parking spaces</i> shall

Type or Nature of Use	Minimum EV Charging Station Requirement
<i>Apartment Buildings, Mixed Use Buildings and Stacked Townhouses with a common parking structure</i>	have a <i>roughed-in electric vehicle charging station</i>
UGC-MU and UGC-MU2 Permitted non-residential uses	Where the required number of <i>parking spaces</i> is 100 spaces or more, a minimum of 20% of the required <i>parking spaces</i> shall have a <i>roughed-in electric vehicle charging station</i> ; and, a minimum of 1% of all the required <i>parking spaces</i> shall have an <i>electric vehicle charging station</i> installed

37. THAT Section 7.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying Table 7A as follows:

RHD *Uses* is removed and replaced by *Apartment Building* in the list of Residential *Uses* under the Permitted *Uses* column.

Dwelling, Back-To-Back Townhouse; Dwelling, Live-Work Unit; Dwelling, Multiple; Dwelling, Stacked Townhouse; and Guest Suite or Unit are added to the list of Residential *Uses* under the Permitted *Uses* column

A ‘•’ symbol followed by (*1) and (*8) is added to the table under the column ‘UGC-MU’ in the rows containing *Apartment Building; Dwelling, Back-To-Back Townhouse; Dwelling, Live-Work Unit; Dwelling, Multiple; Dwelling Retirement; Dwelling, Stacked Townhouse; Guest Suite; and Shared Housing*.

A number (*9) is added to the table under the column ‘UGC-MU’ in the rows containing *Apartment Building; Dwelling, Retirement; Dwelling, Multiple; and Mixed Use Building*.

A number (*10) is added to the table under column ‘UGC-MU’ in the rows containing *Dwelling, Back-To-Back Townhouse; Dwelling, Multiple; and Dwelling, Stacked Townhouse*.

A number (*11) is added to the table under column ‘UGC-MU’ in the rows containing *Apartment Building* and *Mixed Use Building*.

Home Day Care; Home Occupation; Hospital, Public or Private; Long-Term Care Facility; Mixed Use Building; School, Post-Secondary; School, Secondary; and Specialty Food Store is added to the list of Non-Residential *Uses* under the Permitted *Uses* column.

A ‘•’ symbol is added to the table under the column ‘UGC-MU’ in the rows containing *Funeral Home; Home Day Care; Home Occupation; Hospital, Public*

or *Private; Long-Term Care Facility; Mixed Use Building; Place of Assembly; School, Post-Secondary; School, Secondary; and Specialty Food Store.*

A ‘•’ symbol followed by (*12) is added to the table under the column ‘UGC-MU’ in the rows containing *Bank; Convenience Store; Department Store; Dry Cleaning Depot; Food Store; Personal Service Shop; Restaurant; Restaurant Take-Out; Retail Store 1; Retail Store 2; and Specialty Food Store.*

A ‘•’ symbol followed by (*13) is added to the table under the column ‘UGC-MU’ in the rows containing *Mixed Use Building.*

38. **THAT** Section 7.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by modifying the footnotes for Table 7A as follows:

(*1) Not permitted on the *first storey* of a *building* where identified as *Active Frontage* in accordance with Schedule E and not permitted to occupy more than 40% of the *building front wall* on the *main floor* of a *building* where identified as *Active Frontage* in accordance with Schedule E1.

Footnote (*8) is added as follows:

(*8) Not permitted to replace an existing non-residential *building* as a stand alone residential building.

Footnote (*9) is added as follows:

(*9) A minimum of 4 square metres per *dwelling unit* of outdoor communal *amenity area* shall be provided at *grade* and/or as a rooftop *amenity area* on the *podium* and shall be maintained and operated by a common entity (such as a condominium corporation). This outdoor communal *amenity area* shall be aggregated into areas of not less than 50 square metres and have a minimum width of 6.0 metres.

Footnote (*10) is added as follows:

(*10) A minimum density of 100 units per net hectare and a common underground *parking structure* containing a minimum of 80% of the required parking is required

Footnote (*11) is added as follows:

(*11) Where residential and/or non-residential *uses* are located on the *first storey* of an *apartment building* or *mixed use building*, a minimum of one principal *building* entrance to each *dwelling unit* and *use* shall be directly accessible from, and oriented towards, a *public street*.

Footnote (*12) is added as follows:

(*12) Only permitted on the *first storey* of a multi-storey *Mixed-use Building* with at least one principal entrance accessible from a *public street*, or in a stand-alone *building* with a maximum *gross floor area* of 500 square metres.

Footnote (*13) is added as follows:

(*13) Where a *Mixed Use Building(s)* will replace an existing non-residential *building* on the same *lot*, the replacement *building* or *buildings* must contain one or more permitted non-residential *use(s)* with the same or greater *gross floor area* as the existing non-residential *use* or, where a lesser non-residential *gross floor area* is proposed, the *gross floor area* of the permitted non-residential *use(s)* must be sufficient to accommodate a similar number of jobs as the existing non-residential *use(s)* on the *lot*.

39. THAT Section 7.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by removing the UGC-MU and UGC-MU-2 columns from Table 7C and by adding Table 7C-1 as follows:

TABLE 7C-1

Central Business District – Urban Growth Centre/Major Transit Station Area		
Regulations	Zones	
	UGC- MU	UGC-MU-2
	Urban Growth Centre - Mixed Use	Urban Growth Centre - Mixed Use 2
Lot Frontage (Minimum)	50.0m	50.0m
Lot Area (Minimum)	3500m ²	3500m ²
Lot Coverage (Maximum)	70%	70%
Floor Space Index (*1)(*2)		
Minimum	See Density Schedule (*3)	See Density Schedule
Maximum	See Building Heights Schedule	See Building Heights Schedule
Setbacks		
Front Yard		
South side of Main Street East		
Minimum	6.0m (*4)	N/A
Maximum	9.0m (*4)	N/A
East side of Ontario Street South and west side of Thompson Road North		
Minimum	4.5m (*5)	N/A
Maximum	7.5m (*5)	N/A
Other streets in <i>Active Frontage Areas</i>		
Minimum	0.0m (*6)	0.0m (*6)
Maximum	3.0m (*6)	3.0m (*6)

Central Business District – Urban Growth Centre/Major Transit Station Area		
Regulations	Zones	
	UGC- MU	UGC-MU-2
	Urban Growth Centre - Mixed Use	Urban Growth Centre - Mixed Use 2
All other streets		
Minimum	2.0m (*6)	2.0m (*6)
Maximum	5.0m (*6)	5.0m (*6)
Interior Side Yard		
Minimum	1.8m	3.0m
	Floors 9 and above: 12.5m	
Exterior Side Yard		
Abutting south side of Main Street East		
Minimum	6.0m (*4)	N/A
Maximum	9.0m (*4)	N/A
All other streets		
Minimum	3.0m (*6)	3.0m
Maximum	5.5m (*6)	5.5m
Rear Yard		
Abutting a Residential Zone		
Minimum	7.5m (*7) Floors 1 to 3: 7.5m Floor 4: 10.5m Floor 5: 13.5m Floor 6: 16.5m	12.0m (*7)
North side of Main Street East between Ontario Street North and Thompson Road North		
Minimum	20.0m (*7) Floors 1 to 6: 20.0m Floor 7: 23.0m Floor 8: 26.0m	N/A
Building Height	See <i>Height Schedule</i> (*8) (*9) (*10)	See <i>Height Schedule</i> (*8) (*9)
Tower Controls		
Tower Separation	Each <i>tower</i> must be separated a minimum of 25.0 metres from any other <i>tower</i> located on the same <i>lot</i> , measured horizontally from the <i>main wall</i> of one <i>tower</i> to the other, projecting <i>balconies</i> excepted.	
Tower Floor Plate Area	Any <i>tower</i> portion of a <i>building</i> between a <i>height</i> of 9 <i>storeys</i> and 15 <i>storeys</i> inclusive must not exceed a <i>floor plate area</i> of 1,000 square metres on the <i>lot</i> .	

Central Business District – Urban Growth Centre/Major Transit Station Area		
Regulations	Zones	
	UGC- MU	UGC-MU-2
	Urban Growth Centre - Mixed Use	Urban Growth Centre - Mixed Use 2
	Any <i>tower</i> portion of a <i>building</i> above a <i>height</i> of 15 storeys must not exceed a <i>floor plate area</i> of 750 square metres or 40 linear metres measured diagonally on the <i>lot</i> .	
Landscaped Open Space % of Lot Area (Minimum)	15%	15%
Landscape Buffer (Minimum) <i>Abutting a street line</i>	0.0m	0.0m
<i>Abutting a Residential Zone</i>	4.5m	4.5m

40. THAT Section 7.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding footnotes for Table 7C-1 as follows:

(*1) Does not apply to an *elementary, secondary or post-secondary school*.

(*2) Where development proceeds on the basis of individual development envelopes on a portion of the Zone or *lot*, the development density standards shall be calculated on the basis of the area of each individual development envelope rather than on the basis of the area of the entire *lot*.

(*3) For *Dwelling, Back to Back Townhouse; Dwelling, Multiple; and Dwelling Stacked Townhouse* the minimum density shall be 100 units per net hectare.

(*4) A minimum *step back* of 10 metres is required above a *height* of 19.5 metres or 6 storeys.

(*5) A minimum *step back* of 3 metres is required above a *height* of 19.5 metres or 6 storeys.

(*6) A minimum *step back* of 1.5 metres is required above a *height* of 13.5 metres or 4 storeys.

(*7) Where *abutting* a residential *zone*, a sun shadow analysis shall be provided.

(*8) Minimum height of a non-residential *first storey* (measured from top-of-slab to top-of-slab) of a *mixed used building* is 4.5 metres.

(*9) Multiple *towers* on the same *lot* shall have a *height* difference of at least 4 *storeys* and 12.0 metres between the *height* of the tallest *tower* and the shortest *tower* on the *lot*.

(*10) A pedestrian impacts wind study shall be provided for *buildings* greater than 8 storeys or 25.5 metres in *height*.

41. **THAT** Section 13.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding a new Subsection 13.1.1.268 iii. h), as follows:

13.1.1.268	079-2019	C2	*268
1050 BRONTE STREET SOUTH, LEGALLY DESCRIBED AS PART OF LOT 8, CONCESSION 1, FORMER GEOGRAPHIC SURVEY OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MANAMAN CENTRE INC) - FILE Z-04/17			
<p>i. Additional Permitted Uses:</p> <p>Notwithstanding Section 7.1, Table 7B to the contrary, the following uses shall also be permitted:</p> <ul style="list-style-type: none"> a. mixed use buildings b. apartment buildings <p>ii. Notwithstanding the Zone regulations of Section 7.2, Table 7D to the contrary, the following Zone Regulations shall apply:</p> <ul style="list-style-type: none"> a) Maximum lot coverage – 35% b) Minimum front yard setback for a building oriented along Bronte Street South – 3 metres c) Maximum front yard setback for a building oriented along Bronte Street South– 10 metres d) Minimum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 3 metres e) Maximum exterior side yard setback for a building oriented along Louis Saint Laurent Avenue – 10 metres f) Notwithstanding the Gross Floor Area requirements of Table 7D, the following regulations shall apply: <ul style="list-style-type: none"> i) Maximum Permitted Non-residential Gross Floor Area– 7,917 m² g) Maximum building height – 6 storeys to a maximum of 25 metres h) Maximum residential density – 185 units per hectare i) Minimum landscaped open space – 10% j) A landscape buffer abutting a public or private street line shall not be required k) Minimum landscape buffer abutting a residential zone – 1.25 metres <p>iii. Special Zone Provisions</p> <ul style="list-style-type: none"> a) Non-residential uses shall only be permitted on the first storey of a multi-storey mixed-use building. b) Maximum length of a main wall shall not exceed 115 metres. c) Notwithstanding Section 5.14.1 to the contrary, the underground parking structure may be located within 1.5 metres of a street line or lot line. d) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for an apartment building shall be a minimum of: <ul style="list-style-type: none"> 1.0 spaces per 1 bedroom dwelling unit 1.0 spaces per 1 bedroom plus den dwelling unit 1.25 spaces per 2 bedroom dwelling unit 1.25 spaces per 2 bedroom plus den dwelling unit plus 0.25 visitor parking spaces per dwelling unit. 			

- e) Notwithstanding Section 5.8.1, Table 5E to the contrary, the parking requirement for a mixed use building shall be a minimum of:
 - 1.0 spaces per 1 bedroom dwelling unit
 - 1.0 spaces per 1 bedroom plus den dwelling unit
 - 1.25 spaces per 2 bedroom dwelling unit
 - 1.25 spaces per 2 bedroom plus den dwelling unit
 PLUS the Greater of 0.25 parking spaces per residential dwelling unit for visitor parking OR 1 parking space per 25 m2 of GFA for the non-residential component in a mixed use building.
- f) Shared parking provision – Visitor parking associated with a residential use, and client parking associated with a permitted non-residential use, may be provided in any combination of a parking structure and a surface parking area and may be used for any combination of residential and permitted non-residential uses.
- g) Notwithstanding Section 5.1 ix), loading spaces and loading areas may be provided inside of a building;
- h) Section 4.18 iv, v & vii shall not apply.
- i) At grade patios are permitted for retail and restaurant uses facing an arterial road or a driveway.
- j) Notwithstanding Section 4.5, to the contrary, balconies are permitted in all yards.
- k) Notwithstanding Section 4.19.5 (i) (Table 4 H), mixed use buildings shall have the same encroachment permissions as apartment buildings.
- l) Notwithstanding Section 5.12 (Table 5L), the parking area may be setback 0.0 metres for the shared driveway on the west side of the subject lands that provides access to/from Louis St. Laurent.
- m) Minimum first storey height of a Mixed Use Building, measured from floor to floor shall be 4.0 metres.
- n) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for residential dwelling units shall be:
 - 0.7 spaces per unit of Long Term Parking
 - 0.06 spaces per unit of Short Term Parking
- o) Notwithstanding Section 5.10, Table 5I to the contrary, the minimum Bicycle Parking Space requirement for non-residential uses shall be 3% of retail vehicle parking requirement.
- p) Notwithstanding Section 5.10, to the contrary, the terms “long term” bicycle parking space and “short-term” bicycle parking space have the following meaning:
 - a. “long term” bicycle parking spaces are bicycle parking spaces for use by the occupants or tenants of a building and shall be located within a building or structure, a secure area such as a supervised parking lot or enclosure with a secure entrance, or bicycle lockers; and,
 - b. “short-term” bicycle parking spaces are bicycle parking spaces for use by visitors to the building, and shall be located within accessible and highly visible locations near the entrance of a building.
- q) Notwithstanding Section 5.10, Long Term Bicycle parking spaces shall:
 - a. Be located in an area dedicated to bicycle parking only; and
 - b. Not be located within a *dwelling unit*, on a *balcony* or in a general storage locker.

42. **THAT** Section 13.2 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding (H) Holding Provisions, as follows:

“H71” - Shall not be removed until a site plan application has been approved by the Town of Milton including a Sun-Shadow Analysis, a Pedestrian

Impacts Wind Study, and an Urban Design Brief, where required, and the Owner has entered into a site plan agreement with the Town with respect to the proposed development and has posted the associated securities.

“H72” - Shall not be removed until a Noise and Vibration Study associated with a site plan application for development on lands abutting the CP rail line has been conducted and written confirmation has been provided by a qualified acoustical engineer that the required noise mitigation measures have been completed in accordance with the approved Study.

“H73” - Shall not be removed until a Land Use Compatibility Study associated with a site plan application for development of a sensitive land use within the area of influence of a major facility has been conducted and any pre-construction mitigation measures that are required are completed.

“H74” - Shall not be removed until an Employment Study associated with a site plan application for the redevelopment of an existing non-residential use or building has been provided to the satisfaction of the Town of Milton and the Region of Halton. The Employment Study will be required to assess the existing or potential number of jobs accommodated on the proposed development site and demonstrate how a similar number of jobs will be accommodated in the same Zones to which this holding provision applies. The hold shall not be removed until the owner has entered into a site plan agreement to provide the replacement non-residential use(s) or building.

43. **THAT** Section 13.2.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding the following:

13.2.1.114	UGC-MU UGC-MU-2	089-2022	H1; H2; H4; H31; H71; H72; H73; H74	September 12 2022
Lands identified as Milton GO MTSA/Downtown Milton UGC on Schedule A of this By-Law				
For lands zoned UGC-MU or UGC-MU-2 and subject to one or more of the holding zones listed above, the only uses permitted prior to the lifting of the Holding provisions are as follows: a) legally established existing uses; b) uses permitted in the UGC-MU-2 zone.				

41. **THAT** the Owner be permitted to apply for Minor Variance(s) to the Town of Milton Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

42. **THAT** pursuant to Section 34(21) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, this by-law comes into effect the day after the last day for filing a notice of appeal, following enactment of Official Plan Amendment 70 and, if no appeal is filed pursuant to Subsection 34(19) of the *Planning Act*, as amended. Where one or more appeals have been filed under Subsection 34(19) of the said Act, as

amended, this Zoning By-law 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 SEPTEMBER 12, 2022.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

