

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW NO.XXX.2023

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 LOTS 7, 8, 9 & 10, REGISTERED PLAN 375, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (VILLAGE DEVELOPMENTS INC.) – TOWN FILE - Z-07/20

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 Number 73.

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 Residential Low Density (RLD) zone and Natural Heritage System (NHS) zone symbol to the to a new site-specific Residential High Density with a Holding (RHD*336-H79), site specific Natural Heritage System (NHS*337) and Natural Heritage System (NHS) zone symbols on the lands shown on Schedule A attached hereto.
2. **THAT** Section 13.1 of Comprehensive By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.336 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Residential High Density (RHD*336) zone, the following standards and provisions shall apply:

- a) Special Zone Standards:
 - i. Maximum number of units – 296
 - ii. Maximum lot coverage – 42%
 - iii. Minimum front yard setback – 5.5 metres
 - iv. Minimum rear yard setback – 6.5 metres
 - v. Minimum interior side yard setback – 7.5 metres

- vi. Maximum building height – 6 storeys to a maximum height of 22.0 metres, as measured from established grade to the top of parapet and exclusive of a mechanical penthouse with a maximum height of 6 metres above the roof surface.
- vii. Minimum residential unit parking rate of 1.0 spaces per residential unit
- viii. Minimum visitor parking rate of 0.25 spaces per residential unit
- ix. Grade related patios shall be permitted within the minimum front yard setback, minimum side yard setback and minimum rear yard setback
- x. A privacy screen no higher than 1.5 metres may be permitted within the front yard
- xi. The underground parking structure is permitted to be setback a minimum 0.2 metres from a property line.
- xii. Waste storage facilities are permitted so long as they are contained within a main building
- xiii. A garbage loading space is permitted to be located partially within a building
- xiv. A loading space is permitted to be setback a minimum 17.0 metres from a side yard
- xv. One parallel parking space is permitted to be set back 1.5 metres from the main wall of a building
- xvi. A minimum of 108 bicycle parking spaces must be provided, including:
 - i. 18 short-term bicycle parking spaces located at grade
 - ii. 90 long-term bicycle parking spaces located below grade
- xvii. Notwithstanding any provisions of the By-law to the contrary, permanent window awnings and canopies are permitted to encroach a maximum of 2.5 metres into a required yard.

3. THAT Section 13.1 of Comprehensive By-law 016-2014, as amended, is hereby further amended by adding subsection 13.1.1.337 as follows:

Notwithstanding any provisions of the By-law to the contrary, for lands zoned site-specific Natural Heritage System (NHS*337) zone, the following standards and provisions shall apply:

- a) The only development permitted within this zone shall be for the purpose of the installation and maintenance of the approved LID feature.

- 4. **THAT** Section 13.2.1.125 of By-law 016-2014, as amended, is hereby further amended by adding the following conditions for removal of this “H79” Holding Provision:

“H79” shall not be removed until:

- a. The Owner demonstrates to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the 501 Ontario Street South Parking Justification Study Update dated March 2023 by C.F. Crozier & Associates including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner. The TDM measures are as follows:
 - i. The provision of a minimum of 90 long-term secure bicycle parking spaces plus 18 short-term visitor bicycle parking spaces. The long-term bicycle parking areas must be locked and have access permitted to residents only. The bicycle facilities must comply with the City of Toronto Bicycle Parking Guidelines. The bicycle parking spaces must be shown on the plans including details of the lockers/racks;
 - ii. The Owner agrees to charge for parking as a separate cost to occupants. All units are to be unbundled from parking spaces. The purchase/rental agreement between the occupant and the property owner must be provided noting the cost of a parking space and the ability for occupants to opt in or out of having a parking space;
 - iii. The Owner agrees to provide active uses at-grade along street frontages via sidewalk connectivity; and
 - iv. The provision of information packages to tenants alerting them to transit and active transportation opportunities in the area.

- 5. **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 the 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 MAY 29, 2023.

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk