

# THE CORPORATION OF THE TOWN OF MILTON

## BY-LAW NO. -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 2, 20R-20604; PARTS 2&4 20R-19779; PART 4, 20R-20160; AND PART 19, 20R-20414, PART OF LOT 6, CONCESSION 2, NEW SURVEY, (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, FILE Z-XX/23

**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 is hereby further amended by changing the existing Future Development (FD) Zone symbol to the Mixed Use - Special Section AAA (MU\*AAA) Zone symbol on this property as shown on Schedule A attached hereto.
2. **THAT** Section 13.1 of Comprehensive By-law 016-2014 is hereby further amended by adding subsection 13.1.1.AAA as follows:

### **Mixed Use – Special Section AAA (MU\*AAA)**

#### i. Special Site Provisions:

- a) For the purpose of this by-law, where a lot line of a lot abuts a reserve of 0.3 m or less that has been established by the Town to restrict or control access to an abutting street, the lot is considered to have frontage on a public street.
- b) Notwithstanding anything to the contrary, no non-conformity will be created as a result of any severance of the land for the purpose of mortgaging or conveying to a condominium corporation or any public authority.
- c) Notwithstanding Section 4.19.5, Table 4H, balconies and porches/verandas are permitted to be setback 0 m from the lot line.
- d) Notwithstanding Section 4.19.5, Table 4H:
  - a. stairs and air vents associated with an underground parking structure shall be permitted in any yard.

- b. Balconies may encroach 1.8 metres into any yard.
  - e) Notwithstanding Section 5.8 i), Table 5D:
    - (i) 50 perpendicular parking spaces in an underground garage may have a minimum length of 5.3 metres and a minimum width of 2.6 metres to allow for obstructions.
    - (ii) The minimum dimension of a vertical bicycle parking space is:
      - a. Minimum width – 0.6 metres
      - b. Minimum length – 1.5 metres
      - c. Minimum vertical clearance – 1.9 metres
  - f) Notwithstanding Section 5.8.1, Table 5E and Section 5.8.2, Table 5F, the minimum off-street parking requirement for apartment buildings or mixed-use buildings shall be:
    - a. 1 parking space per dwelling unit
    - b. 0.22 parking spaces per residential unit for visitor parking. For mixed use buildings parking spaces for the non-residential component are not required.
    - c. Vehicles associated with a car share program shall be permitted to be parked in required visitor spaces.
  - g) Notwithstanding Section 5.10, Table 5I, 2 short term bicycle parking spaces shall be required per apartment or mixed use building.
  - h) Notwithstanding Section 5.11.1 ii), Table 5K, minimum setback of a loading space to a building shall be 2.0 metres.
  - i) Notwithstanding Section 5.12, Table 5L, minimum setbacks of a parking area shall be:
    - a. Minimum 1.8 metres to a building
    - b. Minimum 2.3 metres to a street line  
Minimum 2.3 metres to a lot line
  - j) Notwithstanding Section 5.14.1, the underground parking structure may be located within 0.0 metres of a street line or lot line.
- ii. Zone Standards:

Notwithstanding the provisions of Section 6.2, Table 6F to the contrary:

- a) Minimum setback to NHS Zone shall be 5 metres. Confirm setback of Building 5 to north property line.
- b) For buildings above 10.5 m in height adjacent to an NHS Zone, 45 degree angular plane requirements shall not apply.
- c) Where residential units are located at-grade within the first storey of a residential building the principal access is not required to be directly accessible from and oriented towards a public street.
- d) The minimum first storey height for a residential apartment building shall be 3 metres;
- e) Maximum height of all buildings is 15 storeys and 55 metres
- f) Surface Area Parking maximum shall be 32%

- g) Balconies oriented toward an arterial road are permitted above 3 metres from established grade.
  - h) Maximum length of a main wall shall be 70 metres.
  - i) Transformer and telecommunications vaults and pads shall be permitted to project 0.5 metres to a public street beyond the main wall of the building.
  - j) Minimum Landscape Open Space shall be 45%
  - k) Maximum Floor Space Index for Mixed Use and Residential Buildings shall be 3.0.
3. **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 Municipal Board dismisses the appeal, this by-law shall come into force on the day of the passing. If the Ontario Municipal Board 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 Board's Order is issued directing the amendment or amendments

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS**

**\*\* DAY OF \*\*\*\*\*, 2023**

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Gordon A. Krantz Mayor

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Troy McHarg Town Clerk

SCHEDULE A  
TO BY-LAW No. \*\*\*-2023  
TOWN OF MILTON

PART OF LOT 6, CONCESSION 2, NEW SURVEY (TRAFALGAR)  
TOWN OF MILTON

