

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2024

BEING A BY-LAW TO ADOPT AN AMENDMENT TO THE TOWN OF MILTON OFFICIAL PLAN PURSUANT TO SECTIONS 17 AND 21 OF THE *PLANNING ACT* IN RESPECT OF ALL LANDS WITHIN THE URBAN AREA OF THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON - FILE: LOPA-03/24.

The Council of the Corporation of the Town of Milton, in accordance with the provisions of Sections 17 and 21 of the *Planning Act* R. S. O. 1990, c. P.13, as amended, hereby enacts as follows:

1. THAT Amendment No. 80 to the Official Plan of the Town of Milton, attached hereto, is hereby adopted.
2. THAT pursuant to Subsection 17(27.1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this Official Plan Amendment comes into effect ~~on~~ the day after the ~~day it was adopted by Council~~ last day for filing a notice of appeal, if no appeal is filed pursuant to Subsections 17 (24.1.1) and (25). Where ~~an one~~ or more appeals has been filed under Subsection 17 (24.1.1) or (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of in accordance with the direction of the Ontario Land Tribunal.
3. THAT in the event that the Regional Municipality of Halton, being the Approval Authority, has declared this Official Plan Amendment to not be exempt, the Clerk is hereby authorized and directed to make application to the Approval Authority for approval of the aforementioned Amendment Number No. 80 to the Official Plan of the Town of Milton.

PASSED IN OPEN COUNCIL ON [DATE]

Gordon A. Krantz Mayor

Meaghen Reid Town Clerk

AMENDMENT NUMBER 80

TO THE OFFICIAL PLAN OF THE TOWN OF MILTON

PART 1 THE PREAMBLE, does not constitute part of this Amendment

**PART 2 THE AMENDMENT, consisting of the following text constitutes
Amendment No. 80 to the Official Plan of the Town of Milton**

DRAFT

PART 1: THE PREAMBLE

THE TITLE

This amendment, being an amendment to the Official Plan of the Town of Milton shall be known as:

Amendment No. 80 to the Official Plan of the Town of Milton
(File: LOPA 03/24)

PURPOSE OF THE AMENDMENT

The purpose of this amendment is to update the Town of Milton's Official Plan to permit additional residential units on urban detached, semi-detached and townhouse lots that are served by municipal water and sewage services.

LOCATION OF THE AMENDMENT

The policies apply to the Town's Urban Area as shown on Schedule A of the Town of Milton Official Plan.

BASIS OF THE AMENDMENT

This amendment will bring the Town of Milton's Official Plan into conformity with Subsection 16(3), 16(3.1) and 16(3.2) of the Planning Act.

PART 2: THE AMENDMENT

All of this document, entitled Part 2: THE AMENDMENT consisting of the following text constitutes Amendment No. 80 to the Town of Milton Official Plan.

DETAILS OF THE AMENDMENT

The Town of Milton Official Plan, as amended, is hereby further amended by Official Plan Amendment No. 80, pursuant to Sections 17 and 21 of the Planning Act, as amended, as follows:

- 1.0 Text Change (Additions are shown in red underline and deletions are shown in yellow strikethrough)

No.	Section No.	Modification
	<u>2.7</u>	<i>Housing</i>
1.	2.7.3.13	Is modified to delete subsection a) and renumber the remaining subsections: The present and future demand for housing in Milton will be accommodated, in part, through forms of intensification, which include the efficient use of vacant residential lands, underutilized lots and existing housing stock in all neighbourhoods, while recognizing the flood susceptibility in the urban core. Intensification may include the following subject to the provisions of Section 3.5: a) modification of existing or construction of new dwellings to include a second residential unit subject to Section 3.2.3.9 of this Plan;
2	2.7.3.14	Is deleted in its entirety: The addition of a second residential unit in an existing dwelling will be permitted subject to Section 3.2.2.9 of this Plan.
3	2.7.3.15 to 2.7.3.17	Is renumbered to 3 2.7.3.14 to 3 2.7.3.16.
4	New 3 2.7.3.17	A new subsection is added with the title: <u>ADDITIONAL RESIDENTIAL UNITS:</u> <u>To increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, increase opportunities for affordable housing and provide gentle intensification, additional residential units (ARUs) shall be permitted within the Urban Area subject to conformity with the following:</u>

No.	Section No.	Modification
		<ul style="list-style-type: none"> a) <u>An ARU shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;</u> b) <u>An ARU will be compatible with neighbouring properties and the surrounding neighbourhood by taking into consideration scale and built form;</u> c) <u>An ARU must be connected to adequate municipal water and sewage services;</u> d) <u>An ARU must have no adverse effect on stormwater management systems;</u> e) <u>An ARU must have no adverse effect on site drainage as demonstrated through a grading plan;</u> f) <u>Safe access to an ARU must be ensured by meeting fire and emergency service requirements;</u> g) <u>Severance of an ARU from the lot shall not be permitted; and</u> h) <u>An ARU shall be registered with the Town in accordance with the provisions of the Municipal Act.</u>
5	2.7.3.18	Is renumbered to 3 2.7.3.19.
6	New 2.7.3.18	<p>A new subsection is added:</p> <p><u>Additional residential units (ARUs) shall not be subject to the density provisions of this Plan. However, the potential for ARUs shall be accounted for in the planning of new communities including infrastructure and community services capacity. ARUs shall be encouraged to be created through the subdivision approval and construction process.</u></p>
	<i>3.2</i>	<i>Residential Area</i>
7	3.2.2 g)	<p>Is modified to read as follows:</p> <p>g) <u>A second residential unit</u> <i>Additional residential units</i> <u>within an existing dwelling</u> in accordance with the policies of subsection 3.2.3.9 <u>2.7.3.17 and 2.7.3.18;</u></p>
8	3.2.3.9	<p>Is deleted in its entirety:</p> <p>SECOND RESIDENTIAL UNITS</p>

No.	Section No.	Modification
		<p>Second residential units within existing single-detached, semi-detached, row houses, and in accessory structures, shall be permitted as of right in the Residential Area designation, provided that all of the following criteria can be met:</p> <p>a) the use shall be located in an existing single-detached, semi-detached, row houses, and in accessory structures where adequate municipal piped water and wastewater services are available and connected;</p> <p>b) the site is accessible to public transit;</p> <p>c) there will be no significant changes to the external character of the building or property;</p> <p>d) all of the requirements of the Zoning By-law, including the provision of adequate parking, of the Ontario Building Code, of the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied; and,</p> <p>e) the existing dwelling is not within the <i>Regulatory Flood Plain</i>.</p>
9	3.2.3.10	<p>Is deleted in its entirety:</p> <p>Second residential units shall not be subject to the density provisions of this Plan. As a condition of approval, the <i>Town</i> shall require that <i>dwelling</i> units containing a second residential unit be registered with the <i>Town</i> in accordance with the provisions of the <i>Municipal Act</i>.</p>
	3.5	<i>Central Business District</i>
10	3.5.3.18	<p>Is modified to <u>by deleting “and,” at the end of subsection j) and adding subsection l):</u></p> <p>The following uses may be permitted in the Downtown Supportive Area:</p> <p><u><i>l) additional residential units in accordance with the policies of subsection 2.7.3.17 and 2.7.3.18.</i></u></p>
11	3.5.3.20	<p>Is modified as follows:</p> <p>The permitted uses within the Central Business District Low Density Residential Sub-Area shall be single detached, semi-detached, and duplex dwellings and</p>

No.	Section No.	Modification
		<p><u>additional residential units</u> in accordance with the policies of subsection 2.7.3.17 and 2.7.3.18. <i>Development</i> shall be subject to the policies of subsections 2.10.3.35 to 2.10.3.41 inclusive, subsections 5.4.3.11 and 5.4.3.12, and Section 3.2 of this Plan.</p>
	5.10	<i>Interpretation</i>
12	5.10.6	<p>The following is added to the list of definitions in alphabetical order:</p> <p><u>ADDITIONAL RESIDENTIAL UNIT (ARU)</u> means a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that it is located either within a single detached, semi-detached or townhouse dwelling, or within an ancillary building or structure on the same lot as a single detached, semi-detached or townhouse dwelling. An ARU may also be referred to as an additional dwelling unit.</p>
13	5.10.6	<p>The following is removed from the list of definitions:</p> <p><u>COACH HOUSE</u> means a small, accessory building, either attached by an enclosed walkway or breezeway or physically separate from the principal dwelling unit with which it is associated, which shall be used for vehicle storage for the principal dwelling unit, as well as for a self-contained dwelling unit or for activities accessory to those permitted in the principal dwelling unit.</p>
	C.6	<i>Bristol Survey Secondary Plan</i>
14	C.6.5.1.2	<p>Is modified to delete subsection c):</p> <p>The permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of this Plan with the exception that:</p> <p>e) Coach houses, deemed to be an accessory dwelling, shall be permitted on hybrid roads for dwelling units which do not front on the hybrid road.</p> <p><u>d) Detached dwellings with or without accessory dwellings, additional residential units, duplex and semi-detached dwellings, will be permitted in the Medium</u></p>

No.	Section No.	Modification
		Density I residential area at a maximum density of 35 units per net hectare and Section 3.2.3.1 shall not apply.
15	C.8 C.8.5.1.2	<p><i>Sherwood Survey Secondary Plan</i></p> <p>Is modified to delete subsection c):</p> <p>The permitted uses in the Residential Area designation shall be in accordance with the policies of Section 3.2.2 of this Plan with the exception that:</p> <p>e) Coach houses, deemed to be an accessory dwelling, shall be permitted on hybrid roads for dwelling units which do not front on the hybrid road. Coach houses are accessory dwelling units located in a separate building on a lot, usually part of a garage, while hybrid roads are public roads which have dwellings fronting on one side and the rear yards of dwellings, including garages, on the other side.</p> <p>d) Detached dwellings with or without accessory dwellings additional residential units, duplex and semi-detached dwellings, will be permitted in the Medium Density I residential area at a maximum density of 35 units per net hectare and a minimum density of 15 units per net hectare and Section 3.2.3.1 shall not apply.</p>
16	C.10 10.5.1.1	<p><i>Boyne Survey Secondary Plan</i></p> <p>Is modified to read as follows:</p> <p>The following uses shall be permitted in the Residential Area designation on Schedule "C.10.C" together with the uses permitted in Section B.3.2.2 d), e), f), g. i) and j):</p> <p>e) Coach houses on public and condominium lanes or service roads.</p>

End of text