

Comments Summary and Responses

Public Comments

Summary of Comments	Responses
Conestoga Students Inc.	
<p>Parking Minimums</p> <ul style="list-style-type: none"> • Support the reduction in the number of parking spaces, but further steps could be taken to reduce the barriers that these minimums can pose for those looking to develop additional units. • The Ontario Government announced proposed changes to the Planning Act to remove parking minimum within Protected Major Transit Station Areas. Similar approach could be taken based on proximity to other transit options (bus routes, etc.) 	<p>No changes to the draft ZBLA are proposed.</p> <ul style="list-style-type: none"> • A shortage of parking is currently an issue in some neighbourhoods. The proposed parking requirements consider the Town's current situation and balances the needs of transit users and personal vehicle users, while aiming to mitigate on-street parking issues. The Town's Strategic Plan for the next four years focuses on growing transit and active transportations options. Parking minimums can be re-evaluated in the future if there is a shift from reliance on personal vehicles to more prevalent transit usage. • The proposed changes to the Planning Act are not yet in effect. Staff are monitoring changes at the provincial level. If any Planning Act changes come into effect, Staff will bring another amendment to align with provincial legislation.
<p>Maximum lot coverage</p> <ul style="list-style-type: none"> • artificially reducing the size of units (i.e., units that could be bigger because of the lot size) could negatively impact both the diversity in housing options (such as needing more housing with a higher number of bedrooms) and the safety of future tenants • Recent provincial announcement, which includes the potential elimination of barriers for additional units, such as maximum lot coverage and the limit on the number of bedrooms per lot 	<p>No changes to the draft ZBLA are proposed.</p> <ul style="list-style-type: none"> • Lot coverage requirements consider stormwater management. Stormwater management systems are designed with assumptions for the percentage of a lot that is permeable. Increasing lot coverage may contribute to flooding risk. Increases to lot coverage may be reviewed on a case-by-case basis through a Minor Variance application. • The proposal by the Province so far only includes giving enhanced authority to the Minister to establish regulations regarding ARUs. No regulations have actually been proposed yet. Staff will

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	<p>monitor changes at the provincial level. If any Planning Act changes come into effect, Staff will bring another amendment to align with provincial legislation.</p>
<p>Short-term rentals</p> <ul style="list-style-type: none"> • While CSI supports restricting short-term rentals to one unit, we encourage Milton to ensure that short-term rentals are only available to lots with three or four units on them, as opposed to one or two. • In addition, we hope to see the Town of Milton define a short-term rental as 30-days or less to specifically target short-term listings through AirBnb, VRBO, and other similar listing sites. 	<p>No changes to the draft ZBLA are proposed.</p> <ul style="list-style-type: none"> • It is Staff's opinion that restricting short-term rentals to lots with three or four units will be too restrictive. There may be homeowners, who may not have any ARUs on their property, that wish to rent out portions of their principal dwelling unit as a short-term rental. • Short-term rental is already defined in the Zoning By-law as the rental of a dwelling unit or part thereof offering short term lodging for compensation for 28 days or less.
<p>Licensing and registry</p> <ul style="list-style-type: none"> • CSI encourages the Town of Milton to holistically consider rental licensing, as limitations within a rental licensing system (i.e., restricted to additional units only) create loopholes and oversight that often leave a portion of tenants without the protections afforded by the licensing structure. 	<ul style="list-style-type: none"> • As part of the ARU project, the licensing and registry by-law will be focused on ARUs. Expansion of the licensing and registry to include other types of rentals may be considered through a future project.
Mattamy Homes	
<ul style="list-style-type: none"> • Is the 35% minimum landscaped area for singles and 25% for towns across the board, or just applicable to units with ARU's? 	<ul style="list-style-type: none"> • The minimum landscaped area requirement would only apply to lots with an ARU in an accessory building.
<ul style="list-style-type: none"> • 85m² for an ARU is restrictive, our upcoming designs are designing for upwards of 95m². 	<p>No changes to the draft ZBLA are proposed.</p> <ul style="list-style-type: none"> • The Town's existing Zoning By-law has an 85 m² maximum floor area for accessory dwelling units. Rarely has there been Minor Variance applications requesting to increase the maximum size in the past. There are also no other

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	<p>comments received regarding the proposed maximum size of 85 m². Staff is supportive of new home builders incorporating ARUs in their designs. However, rather than changing the regulation Town-wide, new home builders can request site-specific zoning as part of the subdivision approval process.</p>
<ul style="list-style-type: none"> We have concerns with the policy that states that the cumulative area of the ARU's cannot exceed 50% of the total area of the principal residence. We would suggest that this policy be revised to state "No ARU can exceed 50% of the area of the principal dwelling". For example, we may want to design a typology whereby the primary dwelling on the ground floor is the same area as the ADU on the second floor which is also the same area as the ARU on the third floor. In this case the cumulative area of both ARUs is more than the area of the Principal residence. As written now, if a 3001SF single with a principal residence has 1,501SF, then all 3 ARU's combined could only be 1,500SF, which means each ADU would be 500 SF max. Why not allow 4 dwellings at 750SF each whereby even the principal residence could potentially be the same size as the 3 ARU's? 	<p>No changes to the draft ZBLA are proposed.</p> <ul style="list-style-type: none"> To contribute to a mix of housing sizes and to retain larger sized units, it is intended that the principal dwelling unit in a house remains larger than any above-ground additional dwelling units. A house with ADUs is distinguished from a triplex or quattroplex by the size of the units and by the parking requirements. Should Mattamy wish to build triplexes and quattroplexes within new subdivisions, Staff welcomes further discussion. New home builders can request site-specific zoning as part of the subdivision approval process.
<ul style="list-style-type: none"> The policy regarding the basement unit being exempt from the 85m² maximum and the 50% maximum cap is good, however if a basement ADU also utilizes some square footage on the main floor, how will this be interpreted? 	<p>The draft ZBLA has been revised to provide clarification.</p> <ul style="list-style-type: none"> It is the intent of the proposed regulations that the basement floor area in a split-level ADU be excluded from the floor area maximums.

Agency Comments

Comments	Responses
Halton Region	
Staff have reviewed the proposed amendment provided on March 25, 2024, and note that the proposed amendment and the process utilized by the Town meet all criteria illustrated in Section 2 of By-law No. 19-99. As such it is considered exempt from Regional approval.	None required
Halton District School Board	
No Comments	None required
Halton Catholic District School Board	
No Comments	None required
Enbridge Gas	
Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.	None required
Conservation Halton:	
Conservation Halton did not provide comments through the agency circulation process, but was consulted about the amendments during the drafting process. They noted: The language in the current Draft ARU policy update, “an <i>additional residential unit</i> shall be prohibited on lands identified as hazard lands or as being within the regulatory <i>flood plain</i> , unless where specifically permitted by the applicable <i>Conservation Authority</i> ”, would likely work to flag that ARUs are prohibited in hazard lands (as per provincial, municipal and CH regulatory policy) but that they may be permitted in other areas regulated by CAs (e.g., regulatory allowances, low-risk spill areas, other areas adjacent to wetlands) if CA regulatory policies can be met.	None required

Comments	Responses
<p>No responses were received from the following agencies circulated: Bell Canada Canada Post CN/CP Rail Hydro One Networks Metrolinx Milton Hydro Ministry of Transportation Ontario Niagara Escarpment Commission Conseil Scolaire MonAvenir Conseil Scolaire Viamonde</p>	<p>N/A</p>

Nelson Chukwuma
Conestoga Students Incorporated (CSI)
Room 2A106
299 Doon Valley Drive
Kitchener, Ontario
N2G 4M4

April 23, 2024

Wendy Chen
Policy Planner
Town of Milton
150 Mary St,
Milton, Ontario
L9T 6Z5

RE: Support for Additional Residential Units

Dear Wendy Chen,

On behalf of Conestoga Students Inc., the official student association of Conestoga College representing 700 students attending school in the Town of Milton. I would like to express our support for the creation of zoning regulations that would allow four additional residential units in Milton's urban residential areas.

As the Town of Milton is aware, Milton, like many other places in Canada, is facing an ongoing and worsening housing crisis. This crisis has accelerated the need to explore innovative solutions that meet diverse accommodation needs, including the needs of students in the town. As Conestoga College continues to grow its footprint throughout Milton, particularly with the future Milton Education Village (MEV), students continue to have an increasingly difficult time finding appropriate and affordable housing that suits their needs. As such, we are pleased to see the Town of Milton taking steps to ensure that neighbourhoods and communities are being developed and allowed to adapt to create diverse residential options that meet community needs through a mix of residential dwellings to support all community members.

By allowing four residential units on one lot, the Town of Milton supports the need for gentle intensification; responds to the ongoing housing crisis and both immediate and future housing demands; and supports diverse household needs, including multi-generational, homestay, and other programs that benefit homeowners and potential tenants. It is important to ensure that these additional dwellings can be served by existing infrastructure, such as water and power, and we are glad to see the Town of Milton considering these aspects to ensure that new units, whether they be purpose-built or in addition to existing units, are suitable for tenants.

While CSI remains in favour of additional units, there are various concerns we hope to see the Town of Milton address.

- **Parking minimums:** CSI appreciates that the Town of Milton has reduced the number of parking spaces needed for additional units, and that there is an ongoing need to address parking concerns throughout the town. However, recognizing the impacts of climate change and logistic barriers parking minimums create, CSI believes that further steps could be taken to reduce the barriers that these minimums can pose for those looking to develop additional units. This is also supported by a recent announcement from the Ontario Government, which announced proposed changes to the

Planning Act to remove parking minimums for developments in Protected Major Transit Station Areas.¹ While Milton’s only Protected Major Transit Station Area is surrounding the GO station, a similar approach could be taken based on proximity to other transit options (bus routes, etc.), particularly recognizing that residents in additional units are less likely to own a car.²

- **Maximum lot coverage:** While restricting size can help to ensure a slower densification, it can also create additional problems. Recently, CSI has seen many students, particularly international students, renting smaller spaces with more tenants as a way to address affordability issues. This can have serious safety implications, with higher rates of crowding and less privacy. CSI is concerned that artificially reducing the size of units (i.e., units that could be bigger because of the lot size) could negatively impact both the diversity in housing options (such as needing more housing with a higher number of bedrooms) and the safety of future tenants. These concerns are also reflected in the recent provincial announcement, which includes the potential elimination of barriers for additional units, such as maximum lot coverage and the limit on the number of bedrooms per lot.³
- **Short-term rentals:** CSI is pleased to see that the Town of Milton is taking steps to address the negative impact short-term rentals have on housing supply,⁴ and we encourage Milton to go further with this restriction. As of right now, the Town of Milton is proposing that only one unit may be used as a short-term rental, leaving the other units as long-term housing supply. While CSI supports restricting short-term rentals to one unit, we encourage Milton to ensure that short-term rentals are only available to lots with three or four units on them, as opposed to one or two. This will ensure that, in cases where only one additional unit is possible or desired, the unit will address long-term housing needs. In addition, we hope to see the Town of Milton define a short-term rental as 30-days or less to specifically target short-term listings through AirBnb, VRBO, and other similar listing sites. CSI believes that this definition adequately addresses the negative impact of short-term rentals, while not creating additional barriers to housing for those who require shorter tenancies (such as 4- or 8-month leases).
- **Licensing and registry:** CSI is also pleased to the Town of Milton investigating a licensing and registry of additional units. Rental licensing is a keyway to pre-emptively address both health and safety concerns, as well as aesthetic/neighbourhood concerns. Rental licensing takes the responsibility to ensure safe and legal rental housing out of the hands of the individual renter and create a system wherein municipalities require inspections for rental properties. Under a licensing structure, property owners who wish to place a unit for rent within a city must register the property with the respective municipality. To maintain a license in good standing and, therefore, be legally permitted to place their unit on the rental market, landlords would have to meet property standard bylaws and submit to periodic, proactive inspections of the unit by municipal bylaw officers. Pre-emptive and proactive reviews can help prevent landlord absenteeism and catch code and property standard

¹ Government of Ontario, “Cutting Red Tape to Build More Homes,” Ontario Newsroom, April 10, 2024, https://news.ontario.ca/en/backgrounder/1004423/cutting-red-tape-to-build-more-homes?utm_campaign=%2Fen%2Frelease%2F1004422%2Fontario-cutting-red-tape-to-build-more-homes&utm_medium=email&utm_source=newsroom&utm_term=public.

² Karen Chapple et al., “Yes in My Backyard: Mobilizing the Market for Secondary Units,” *UC Berkeley: University of California Transportation Center.*, September 1, 2011, <https://escholarship.org/uc/item/6fz8j6gx>.

³ Government of Ontario, “Cutting Red Tape to Build More Homes.”

⁴ David Wachsmuth, “The Impact of Short-Term Rentals on Canadian Housing,” November 23, 2020, <https://www.cmhc-schl.gc.ca/nhs/nhs-project-profiles/2020-nhs-projects/impact-short-term-rentals-canadian-housing>.

violations before more serious issues arise.⁵ As such, CSI encourages the Town of Milton to holistically consider rental licensing, as limitations within a rental licensing system (i.e., restricted to additional units only) create loopholes and oversight that often leave a portion of tenants without the protections afforded by the licensing structure.

CSI is in support of the creation of zoning regulations that would allow for four residential units on one lot and appreciates the opportunity to submit our comments regarding these zoning changes. CSI looks forward to continuing to work with the Town of Milton and other stakeholders to improve housing availability throughout our communities.

Sincerely,

Nelson Chukwuma
President

⁵ What Is Landlord Licensing? | ACORN Canada,” accessed April 11, 2024,
<https://acorncanada.org/resource/what-landlord-licensing>.

Wendy Chen

From: Marib Pirzada
Sent: Thursday, April 25, 2024 9:52 AM
To: Wendy Chen
Subject: ARU Policy Comments

Good morning Wendy,

Hope you're well. In response to the ARU workshop, please see below for Mattamy's comments:

1. Is the 35% minimum landscaped area for singles and 25% for towns across the board, or just applicable to units with ARU's?
2. 85m2 for an ARU is restrictive, our upcoming designs are designing for upwards of 95m2.
3. We have concerns with the policy that states that the cumulative area of the ARU's cannot exceed 50% of the total area of the principal residence. We would suggest that this policy be revised to state "No ARU can exceed 50% of the area of the principal dwelling". For example, we may want to design a typology whereby the primary dwelling on the ground floor is the same area as the ADU on the second floor which is also the same area as the ARU on the third floor. In this case the cumulative area of both ARUs is more than the area of the Principal residence. As written now, if a 3001SF single with a principal residence has 1,501SF, then all 3 ARU's combined could only be 1,500SF, which means each ADU would be 500 SF max. Why not allow 4 dwellings at 750SF each whereby even the principal residence could potentially be the same size as the 3 ARU's?
4. The policy regarding the basement unit being exempt from the 85m2 maximum and the 50% maximum cap is good, however if a basement ADU also utilizes some square footage on the main floor, how will this be interpreted?

Thank you,

Marib Pirzada (he/him)
Development Manager, Land Development



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