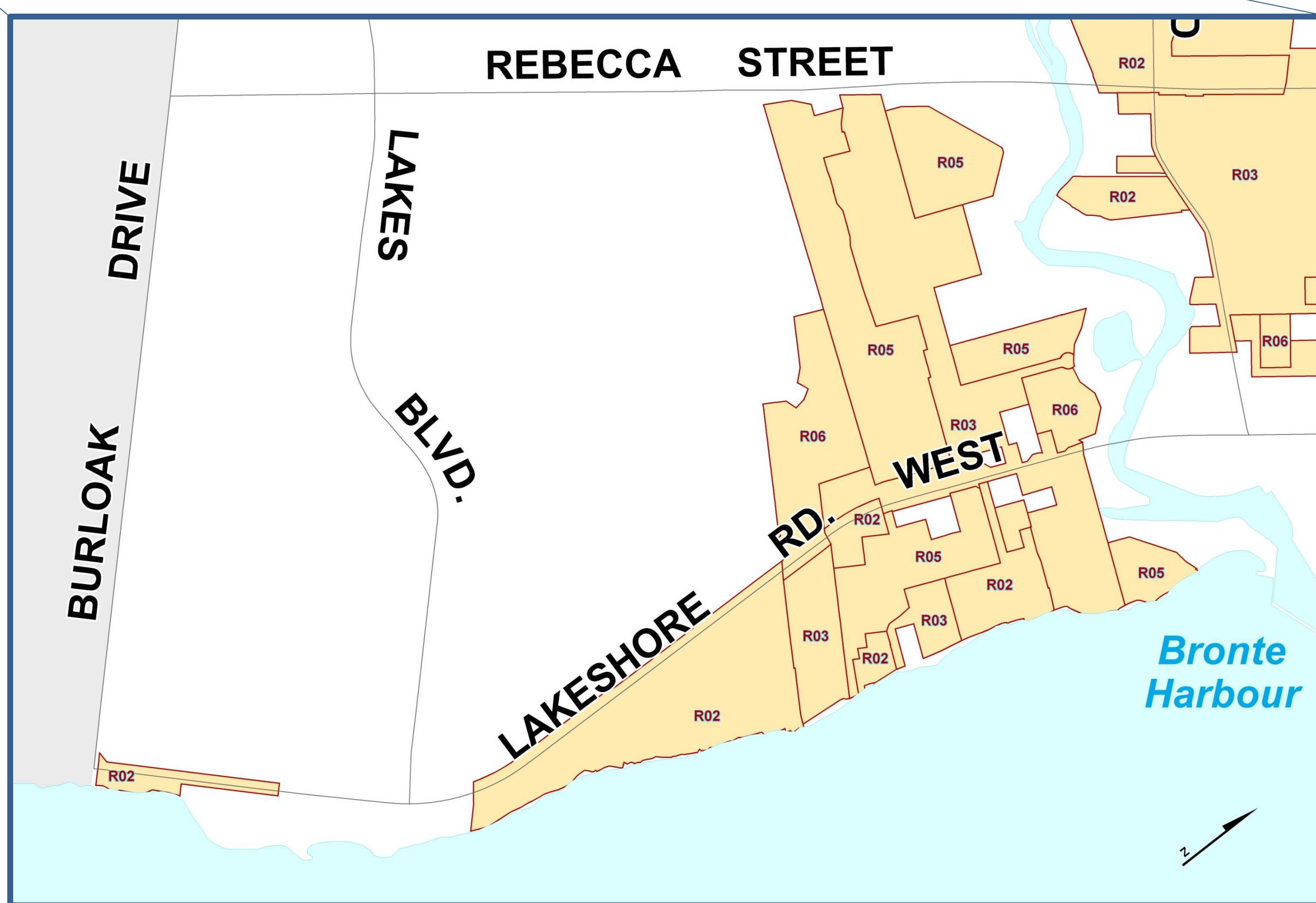
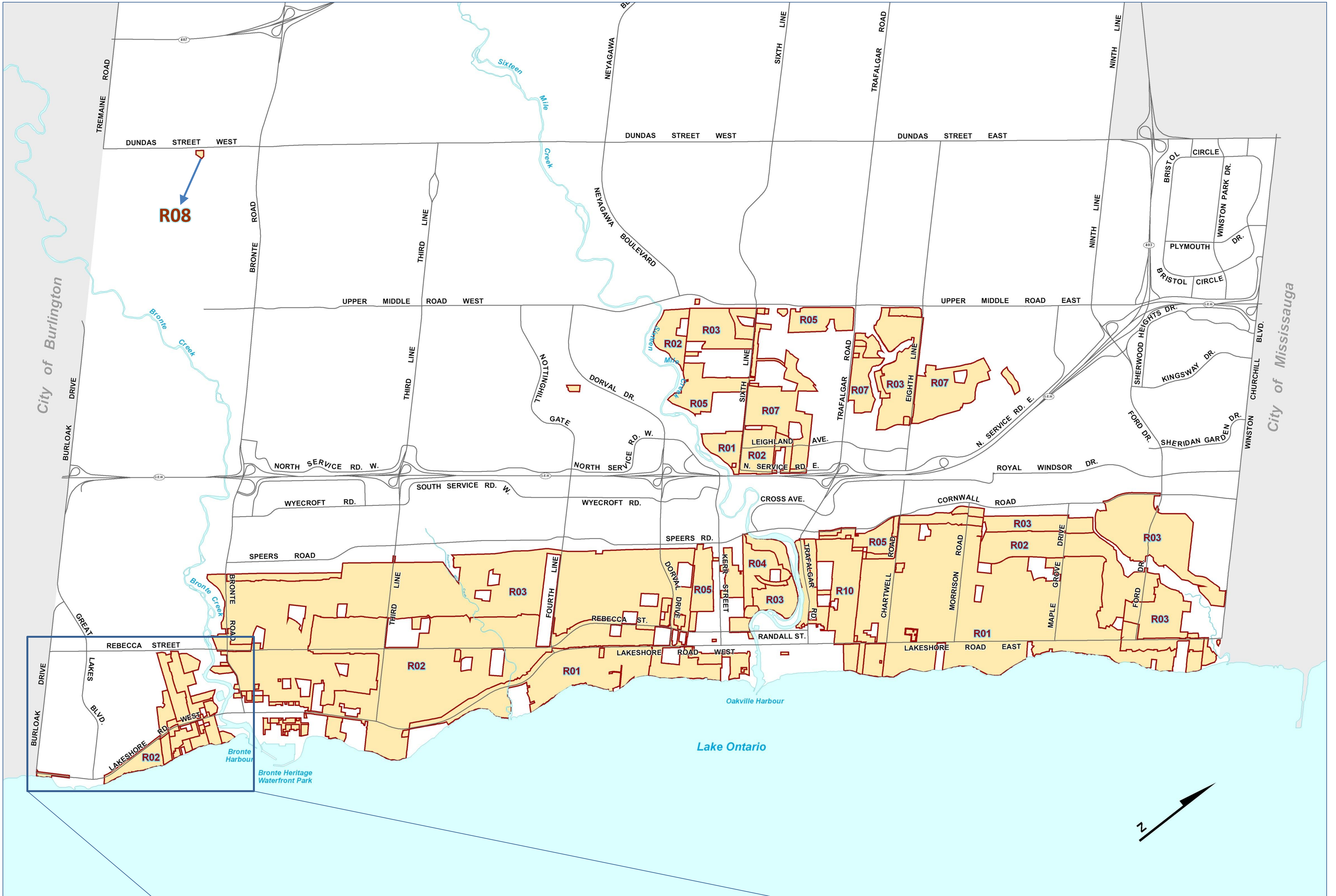


R0 Zones (Infill Housing)



Building Size & Lot Coverage

	Items Zoning can regulate	Current Regulations (By-law 1984-63)	Issues to Consider
1.	Massing and Building Size (on a lot)	<p>These items are currently subject to two regulations in By-law 1984-63:</p> <ol style="list-style-type: none"> 1. Maximum <i>Lot Coverage</i>* (in all residential Zones). 2. Maximum <i>Floor Area/Lot Ratio</i>** <u>and</u> Maximum <i>Lot Coverage</i>* (in R0 zones only). 	<ol style="list-style-type: none"> 1. Should there be <u>one</u> harmonized standard to regulate Massing and Building Volume: Lot Coverage calculated from maximizing existing Floor Area/Lot Ratio regulations. <ul style="list-style-type: none"> • This could eliminate the issue of conflicting standards, as displayed in Figures 1 and 2. 2. Do different dwelling types warrant different standards? i.e. <ul style="list-style-type: none"> • Detached vs. semi-detached homes • One vs. two storey homes

* **Lot Coverage:** means the total horizontal area of that part of the lot area covered by all buildings above ground level excluding eave projections to a maximum of 0.6 m.

** **Floor Area/Lot Ratio:** it is obtained by dividing the floor area of the building by the area of the site (lot) on which the building is erected and expressed as a percentage.

$$FA/Lot Area (\%) = Floor Area/Site Area \times 100.$$

Where Lot Coverage is maximized...

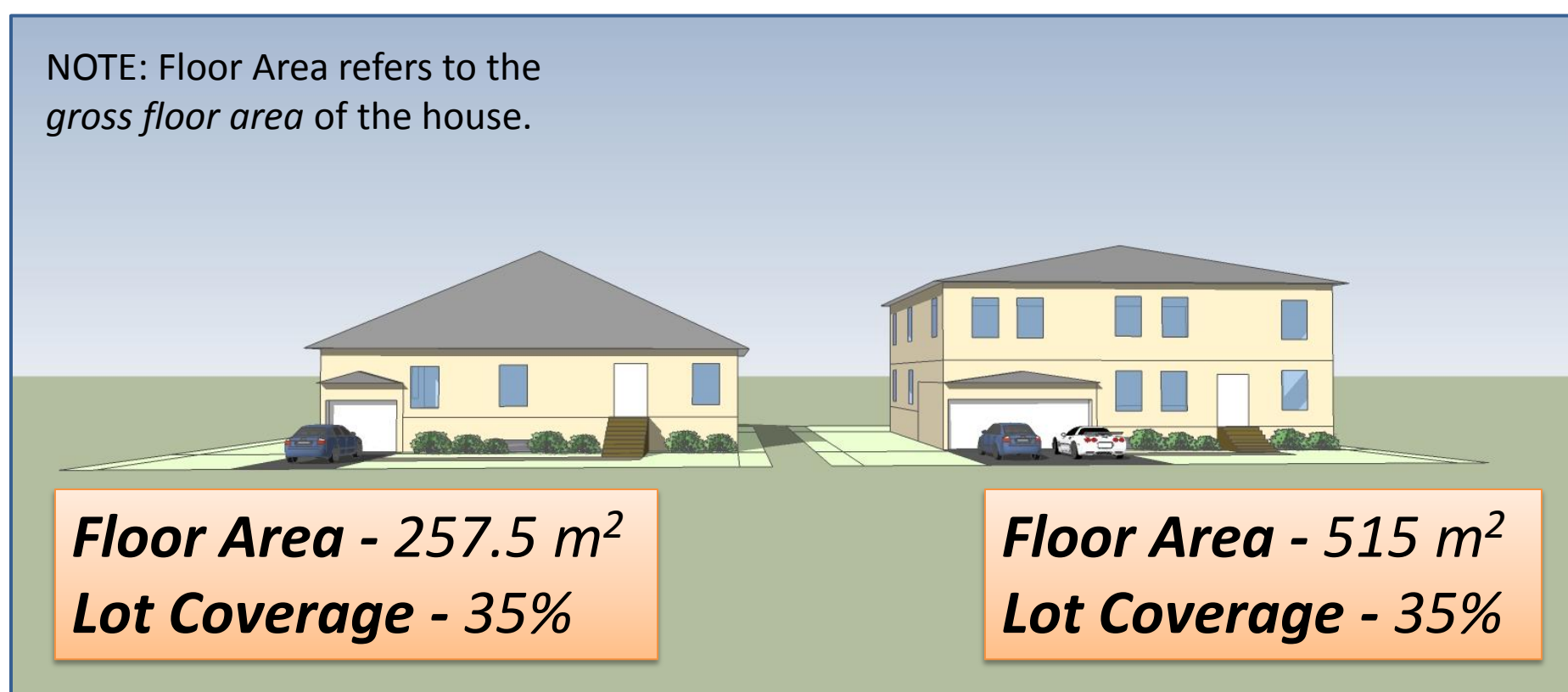


Figure 1: Elevation View

Where Floor Area/Lot Ratio is maximized...

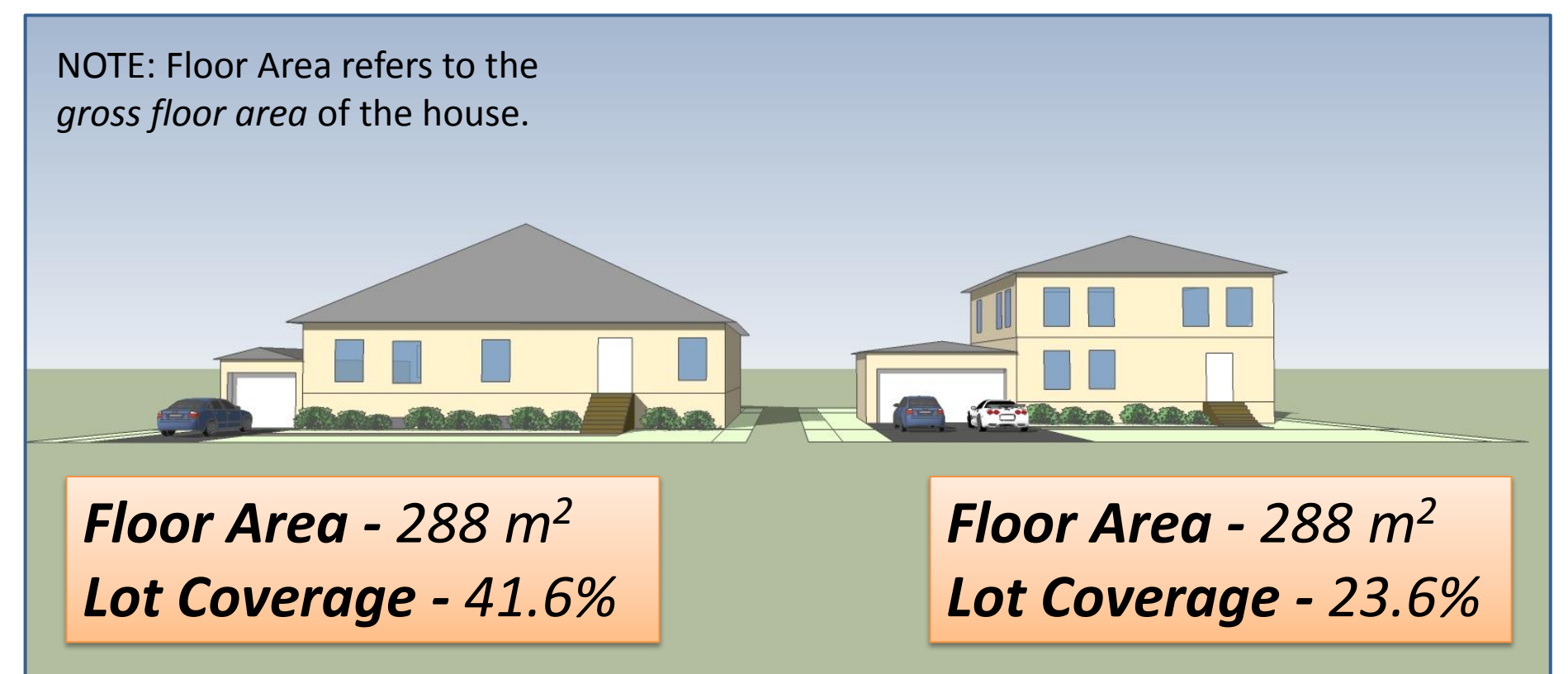


Figure 2a: Elevation View

The *Floor Area/Lot Area* regulation is limiting the massing on a lot more than the older *lot coverage* regulation. There are two regulations in the zoning by-law today, both of which are trying to do the same thing but are producing different housing forms.

Additionally, in the R01 zone, although there is no floor that can actually be occupied, the open area of a cathedral ceiling is counted as Floor Area (Figure 3).

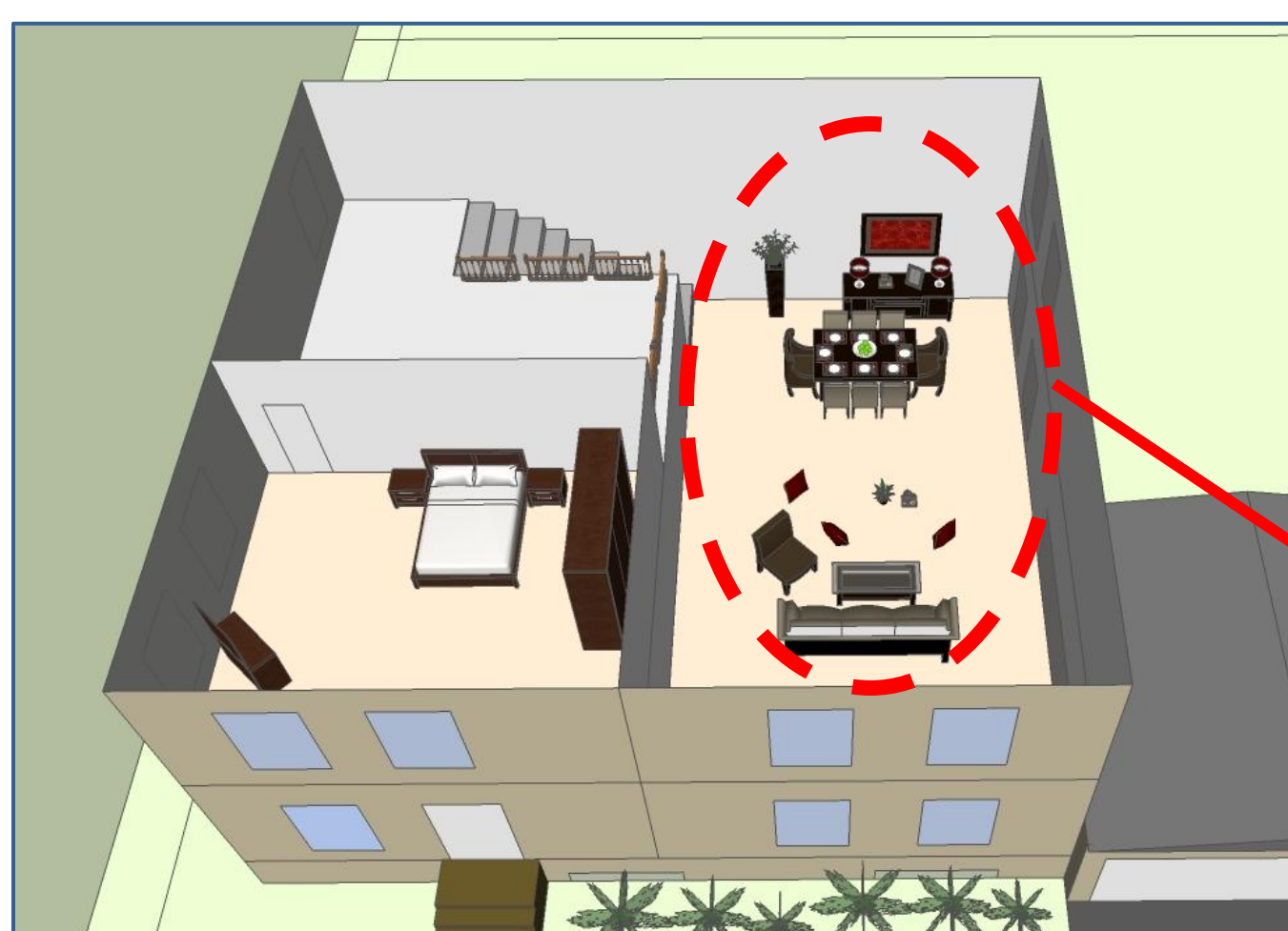


Figure 3: Empty Space counted as Floor Area in the R01 Zone

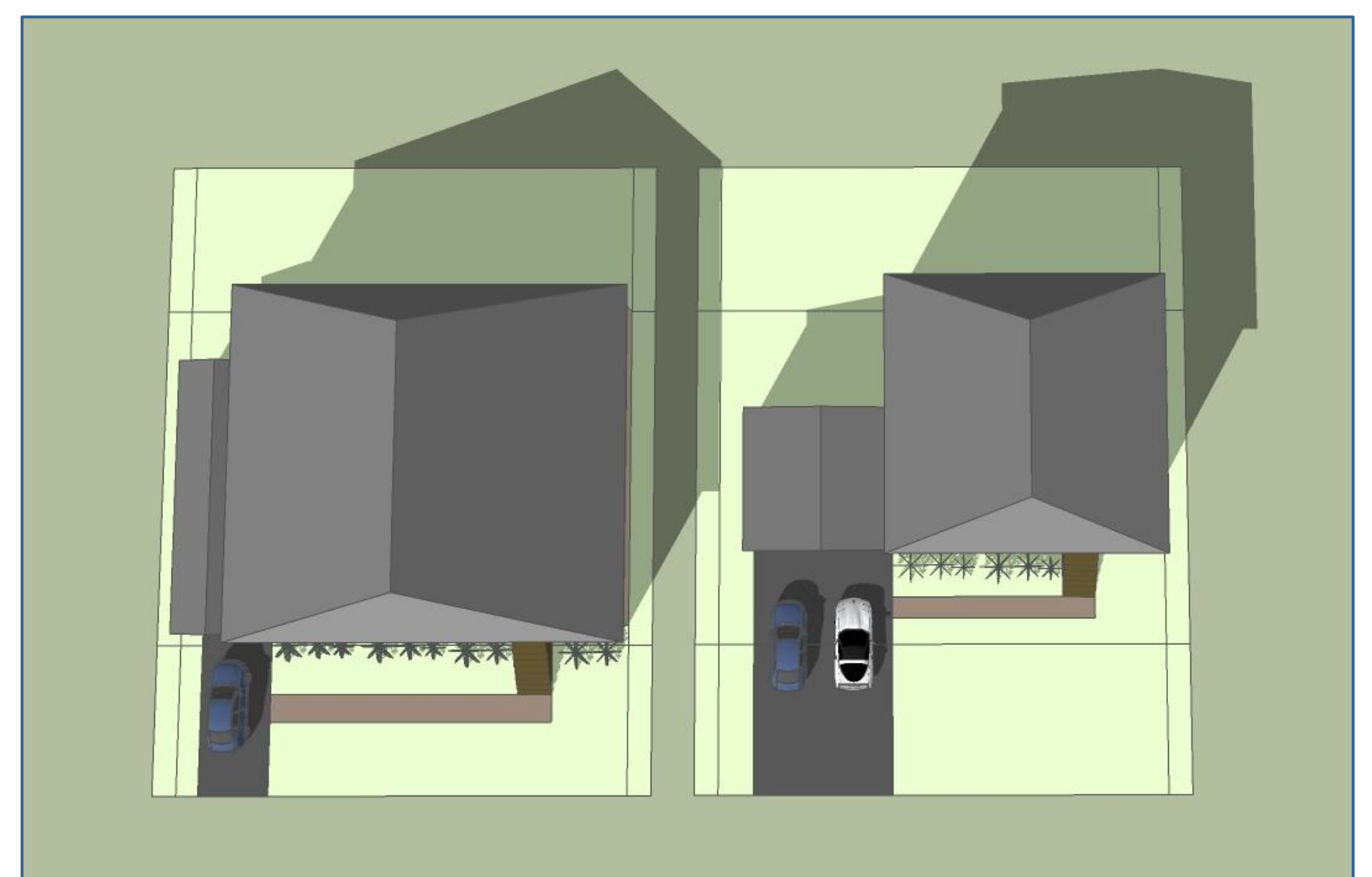
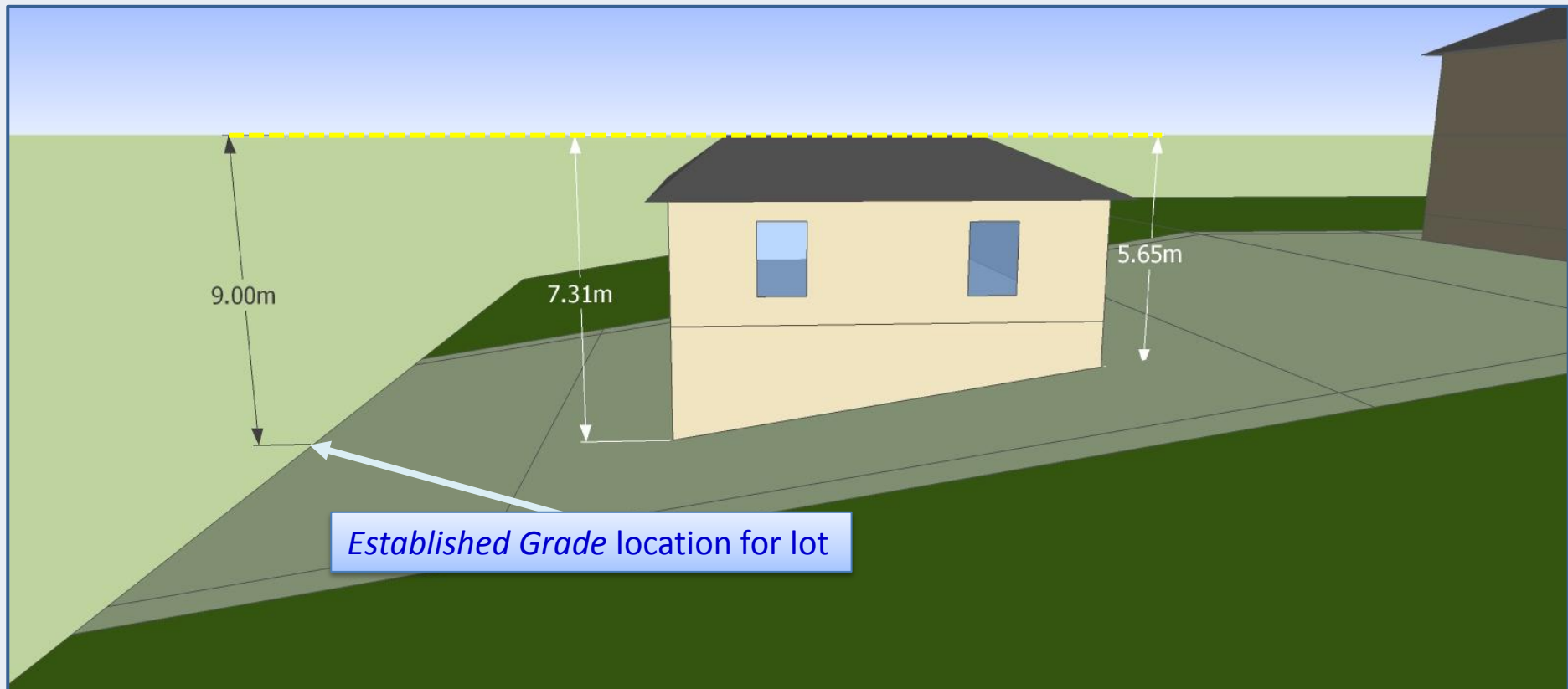
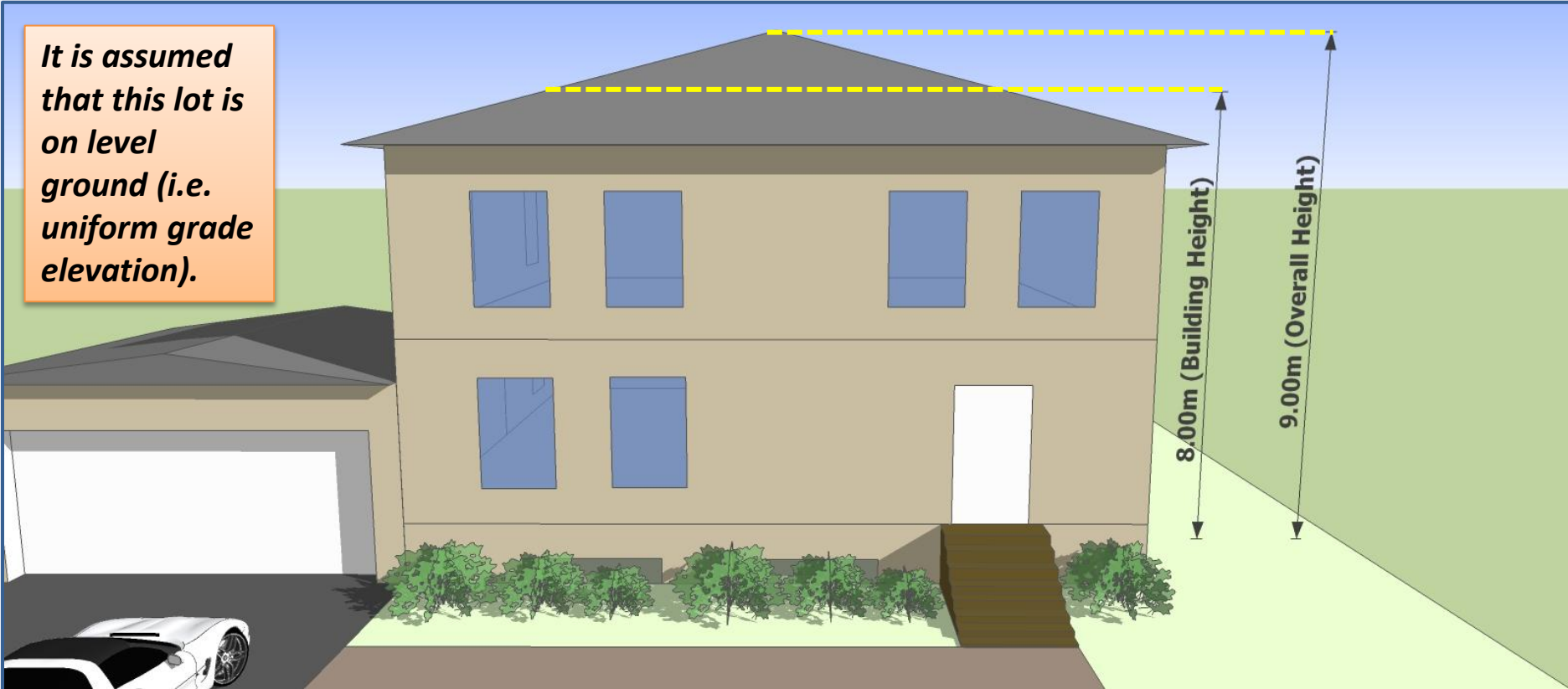


Figure 2b: Plan View

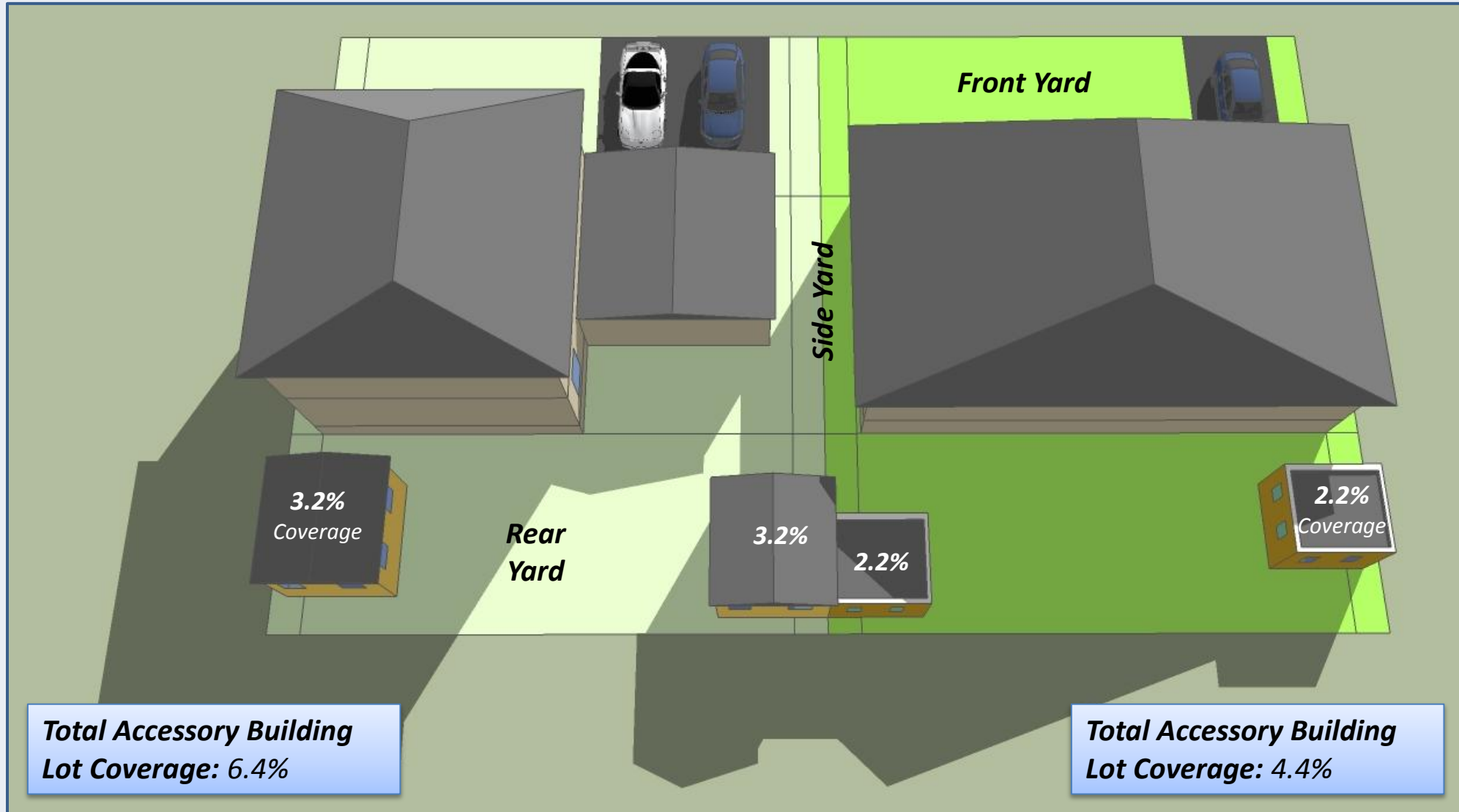
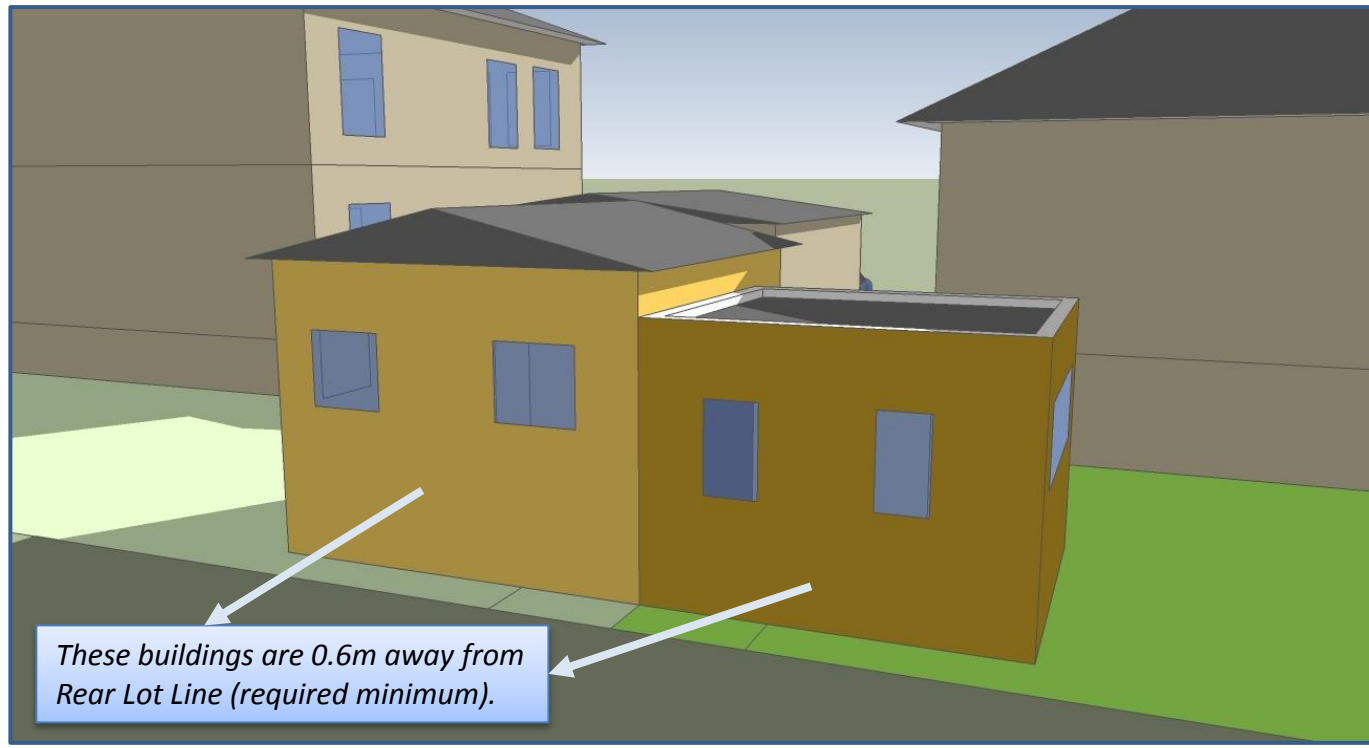
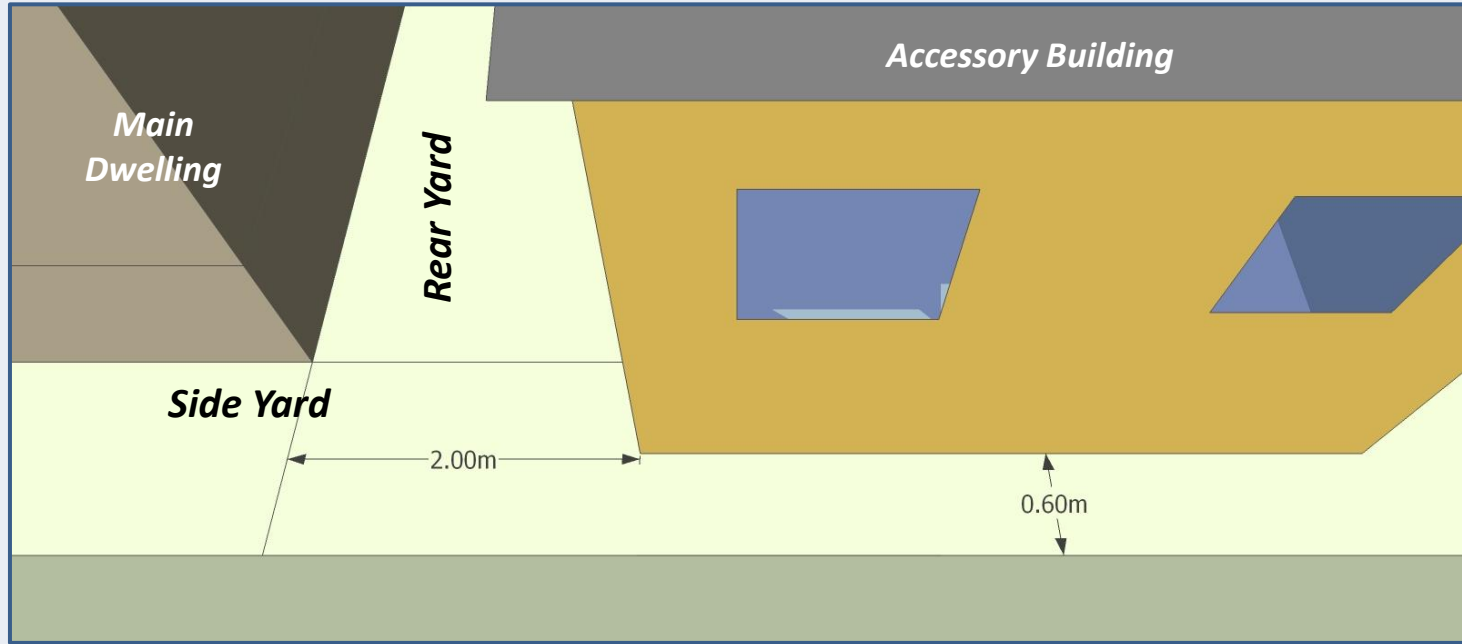
The empty space above the drawing and dining room, on the first floor, is counted as floor space in the R01 zone only.

Building Height & Privacy

	Items Zoning can regulate	Current Regulations (By-law 1984-63)	Issues to Consider
1.	Building Height	<p>There are currently two ways building height is measured in By-law 1984-63, depending on the zone:</p> <ol style="list-style-type: none"> Building Height: the vertical distance between the <u>Established Grade*</u> and: <ol style="list-style-type: none"> The highest point of a flat roof including any parapets, or The deck line of a mansard roof, or The mean height between the eaves and ridge of a gabled, hip, or gambrel roof. Overall Height: the vertical distance between the <u>Established Grade</u> to the highest point of a structure excluding chimneys. <p>* Established Grade: the grade elevation measured at: <ol style="list-style-type: none"> The centre point of the front lot line for interior lots, or The average of the elevations of the centre points of each lot line abutting a street for corner lots and through lots. </p>  <p>Figure 1: Established Grade for an Interior Lot</p>  <p>Figure 2: 'Building Height' vs. 'Overall Height' on a Hip Roof</p>	<p>R1-R8 zones regulate "Building Height", while R10-R13 and R0 zones regulate "Overall Height".</p> <ol style="list-style-type: none"> Are two separate height measurement methodologies appropriate (refer to Figure 1)? Is the <i>Established Grade</i> location appropriate? Should height be measured from <i>Established Grade</i> or <i>Grade at the Lowest Point of Building</i>? Should houses with different roof types have different maximum height standards?
2.	Overlooks and Privacy	<p>Zoning By-law 1984-63 provides many regulations that affect how buildings and structures are placed on a property:</p> <ol style="list-style-type: none"> Minimum Yards: Restrict the area where buildings and structures can be erected on a property. Maximum Lot Coverage and Floor Area/Lot Ratio: Work to limit the size of buildings. Maximum Dwelling Depth: Limit house sizes in R1 and R01 Zones only (max dwelling depth is 20.0 metres). Limited projections into yards: for decks over 0.6 metres (2 feet) in height, balconies and bay windows. 	<ol style="list-style-type: none"> Should current limits on dwelling sizes be maintained, tightened or relaxed? Should current limits on architectural features such as decks, balconies and bay windows be maintained, tightened or relaxed? Is there an appropriate standard that works town-wide in all contexts?

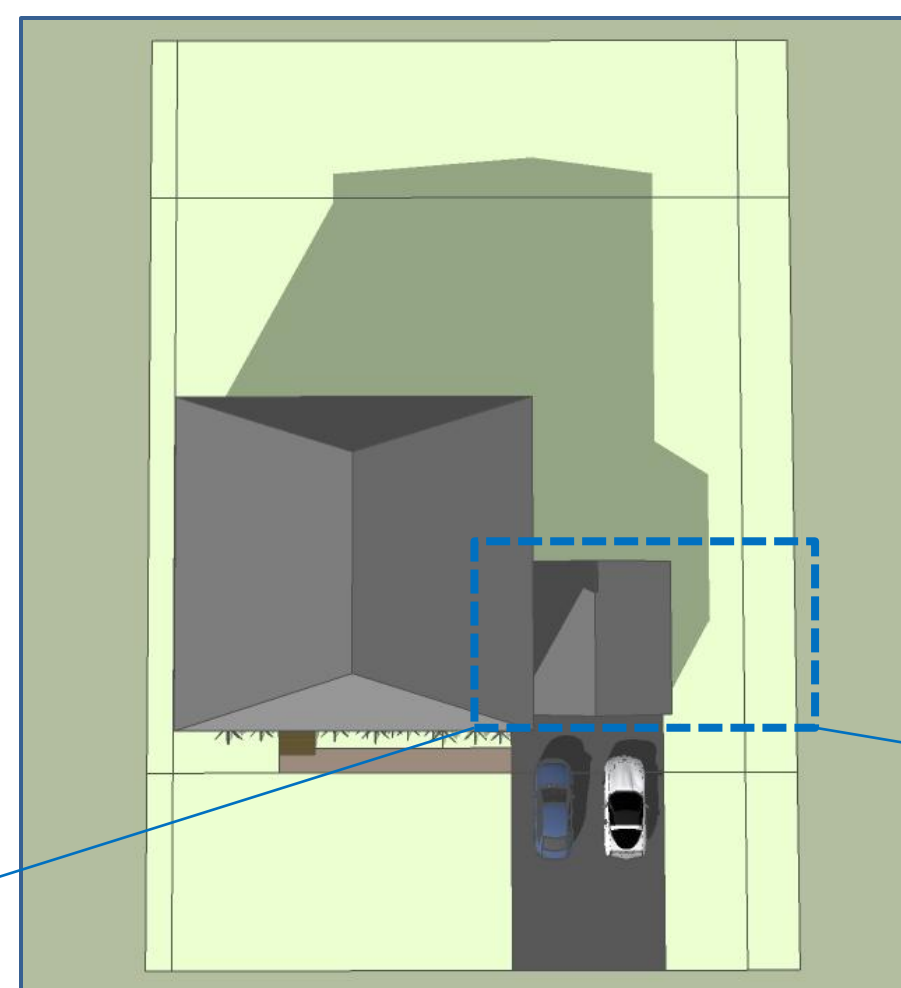
Accessory Buildings

Accessory Building: A building or structure used for an accessory purpose including a private garage but not used for human habitation. Examples of accessory buildings include detached garages, carports, cabanas, gazebos, storage and play structures.

	Items Zoning can regulate	Current Regulations (By-law 1984-63)	Issues to Consider
1.	Coverage and Size	<ul style="list-style-type: none"> ➤ Detached accessory buildings can cover up to 10% of the Lot Area.  <p>Figure 1: Accessory Buildings on a Lot</p>	<ol style="list-style-type: none"> 1. Is the 10% limit appropriate? 2. Should the size or number of individual accessory buildings be regulated?
2.	Yard Requirements	<ul style="list-style-type: none"> ➤ Can be erected in <i>Rear Yard</i> and <i>Dwelling Area</i> of Lot. ➤ Accessory Buildings in Rear Yards shall be set back at least 0.6 metres from <i>Lot Lines</i> with the following exceptions: <ol style="list-style-type: none"> i. If there is a lane at the rear of lot, accessory buildings can be erected on the rear lot line. ii. If the accessory building abuts or is attached to a permanent accessory building on adjoining lot, it can be erected on side lot lines.  <p>Figure 2: Accessory Buildings Erected on Side Lot Line</p> <ul style="list-style-type: none"> ➤ Accessory Buildings in Dwelling Area are subject to the same yard regulations as the main dwelling structure. 	<ol style="list-style-type: none"> 1. Should accessory buildings continue to be permitted in <i>front yards</i>? 2. Should accessory buildings located right on a lot line be permitted?
3.	Separation between Buildings	<ul style="list-style-type: none"> ➤ Minimum separation between a detached accessory building in rear yard and dwelling unit shall not be less than 2.0 metres.  <p>Figure 3: Minimum Separation Standards for Accessory Buildings</p>	<ol style="list-style-type: none"> 1. Is the 2.0m separation appropriate? 2. Should there be a minimum separation standard between individual accessory buildings?
4.	Building Height	<ul style="list-style-type: none"> ➤ Maximum Height is 3.5 metres measured from grade at the lowest point of the building. 	<ol style="list-style-type: none"> 1. Is the 3.5m maximum appropriate? 2. Should height be measured to <i>highest point</i> or <i>midpoint</i> of roof?

Private Garages

	Items Zoning can regulate	Current Regulations (By-law 1984-63)	Issues to Consider
1.	Private Garage Sizes	<ol style="list-style-type: none"> Private Garages, detached from the main building, are subject to the same regulations as other accessory buildings. Additionally, maximum garage areas are restricted for certain zones: <ul style="list-style-type: none"> R1/R01 - 56 m² R02, R03, R04, R05, R07 (detached homes) - 45 m² R6/R06 - 45m² and maximum lot coverage of 8% R10 - 38 m² R11, R12, R13 - 28m² / 45 m² (depending on Frontage). 	<ol style="list-style-type: none"> Should garages have regulations on sizes and locations separate from accessory buildings? Are the current maximum permitted garage sizes appropriate?



This house model illustrates a sample garage, maxed-out to current zoning regulations for the R02 zone. Dimensions (length, width) for private garages are not regulated.



Figure 1: Maximum Permitted Size for a Private Garage in R02 Zone

Front Yards

There are three regulations pertaining to *Front Yards* in Zoning By-law 1984-63:

1. Minimum Front Yards
 The minimum front yard for a house depends on the zone applying to the property. The tables in sections 35-39 of Zoning By-law 1984-63 list *minimum front yard* standards for residential zones.

2. Front Yard Averaging
 Section 17 of By-law 1984-63 allows the front yard of a building to be reduced to meet the average of the front yards of the two buildings beside it, if the average front yard of those two buildings is smaller than the zoning requires.

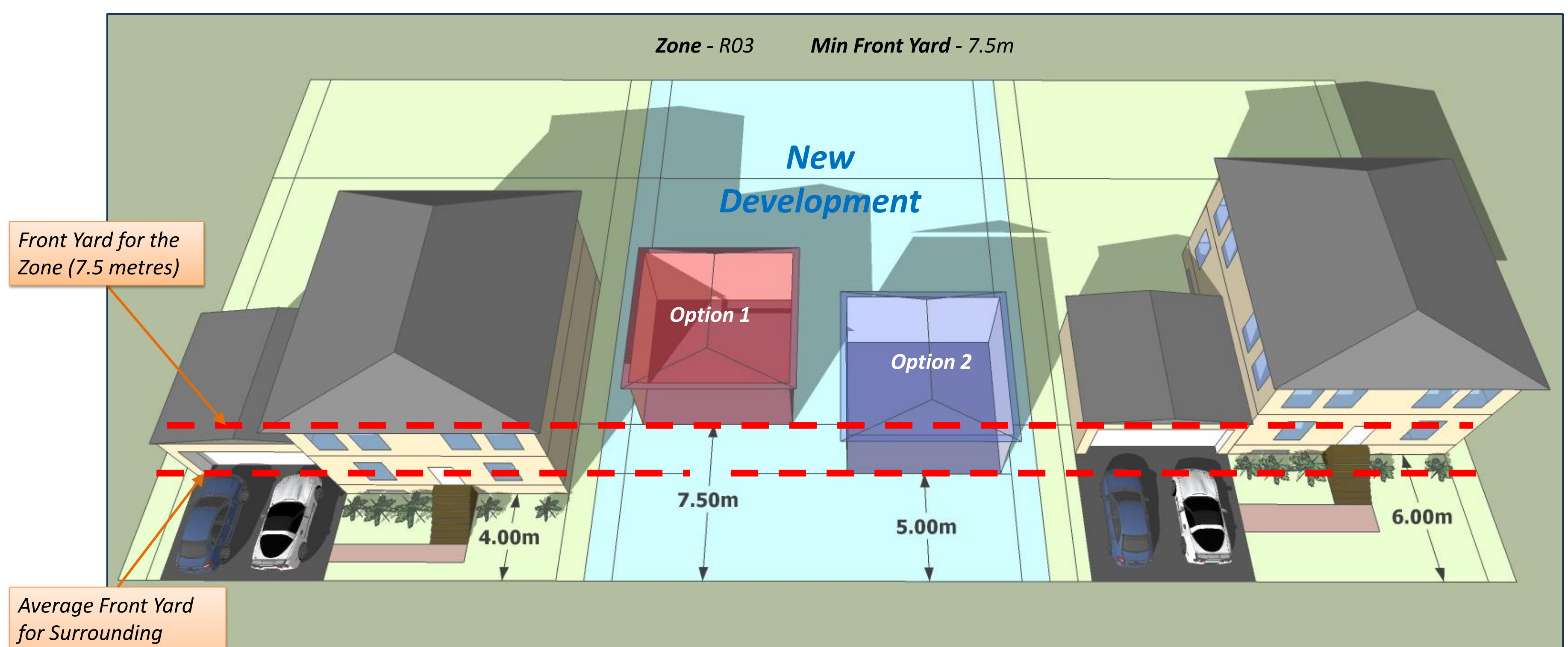


Figure 1: Minimum Front Yard for a Potential House

3. Front Yard Reductions for a Grouping of Homes

In the R1, R01, R2, R02, R3, R03, R4, R04, R5, R05, R7, R07 and R10 zones:
 A reduction of up to 3.0 metres in the minimum front yard is permitted for a group of 8 or more dwellings on contiguous (or facing one another on opposite sides of the street) lots in a neighbourhood. This reduction in front yards is permitted subject to:

- i. The average front yard for the group dwellings is not more than 1.5 metres less than the *minimum front yard* for that zone.
- ii. The front yard must be within 1.5 metres of the front yard of a house next to the identified group of homes.
- iii. At least 25% of the dwellings must meet the *minimum front yard* requirement.

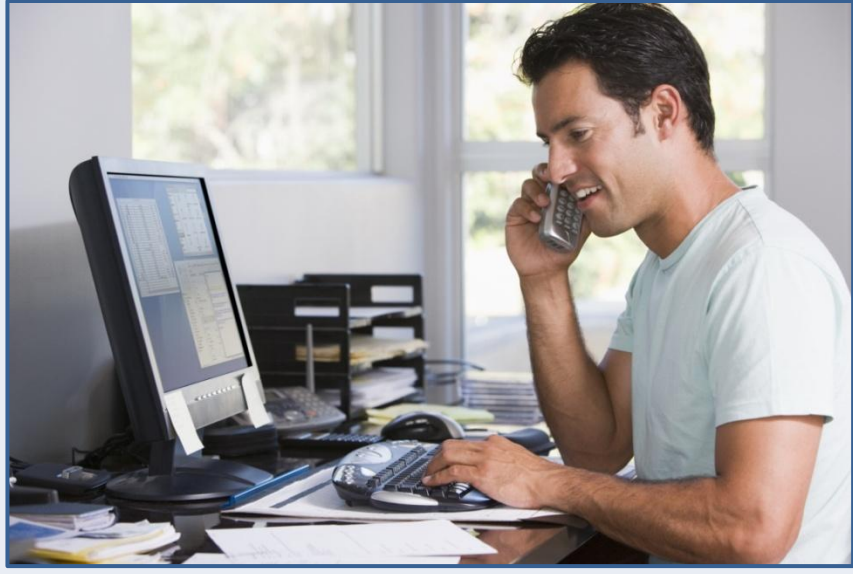





Figure 2: Tuxedo Park in Oakville

Issues to consider:

1. Is maintaining a consistent streetscape in existing neighbourhoods important?
2. Are clear, fixed standards important in the Zoning By-law?
3. Should procedures be included in the Zoning By-law that automatically allow for reduced front yards?

Accessory Uses in Homes

	Uses currently permitted as "Home Occupations"	Regulations in Zoning By-law 1984-63 associated with each use
1.	<p>Conduct of Trade/Business</p> 	<p><i>Permitted in detached and semi-detached dwellings subject to:</i></p> <ol style="list-style-type: none"> 1. A maximum of 25% of the floor area may be used for conduct of trade/business. 2. No signs to be displayed. 3. Non-residents can not be employed. 4. Goods can not be stored on premises. 5. No shipping from premises. 6. No visiting of the premises by customers, clients, or salesmen.
2.	<p>Bed and Breakfast</p> 	<p>Bed and breakfast establishment: <i>provision of lodging with or without meals within detached dwelling subject to:</i></p> <ol style="list-style-type: none"> 1. The minimum lot frontage is 12.0 metres. 2. A maximum of two rooms not exceeding 25% of the gross floor area of the dwelling to be used for lodging. 3. No exclusive kitchen facilities for lodging guests. 4. Owners must reside on site. 5. One additional parking space per guest room.
3.	<p>Private Home Day Care</p> 	<p>Private Home Day Care: <i>the temporary care and custody of children for reward or compensation subject to:</i></p> <ol style="list-style-type: none"> 1. <u>In apartment dwellings</u> - not more than 2 children under the age of 2 years and a total of not more than 3 children under the age of 5 years. 2. <u>In all other dwelling types</u> - not more than 5 children under the age of 10 years including not more than 2 children under the age of 2 years or not more than 3 children under the age of 3 years.
4.	<p>Office of a Physician</p> 	<p><i>Permitted in dwellings subject to:</i></p> <ol style="list-style-type: none"> 1. Physician must reside on site (only some practitioners are currently allowed). 2. Office space restricted to 25% of floor area and to be used for consulting and emergency treatment only. 3. <u>For apartment dwellings</u> - must have a private exterior entrance, or a private entrance from a lobby.
5.	<p>Practice of Domestic Art</p> 	<ol style="list-style-type: none"> 1. Music lessons permitted in detached dwellings only.

Issues to consider:

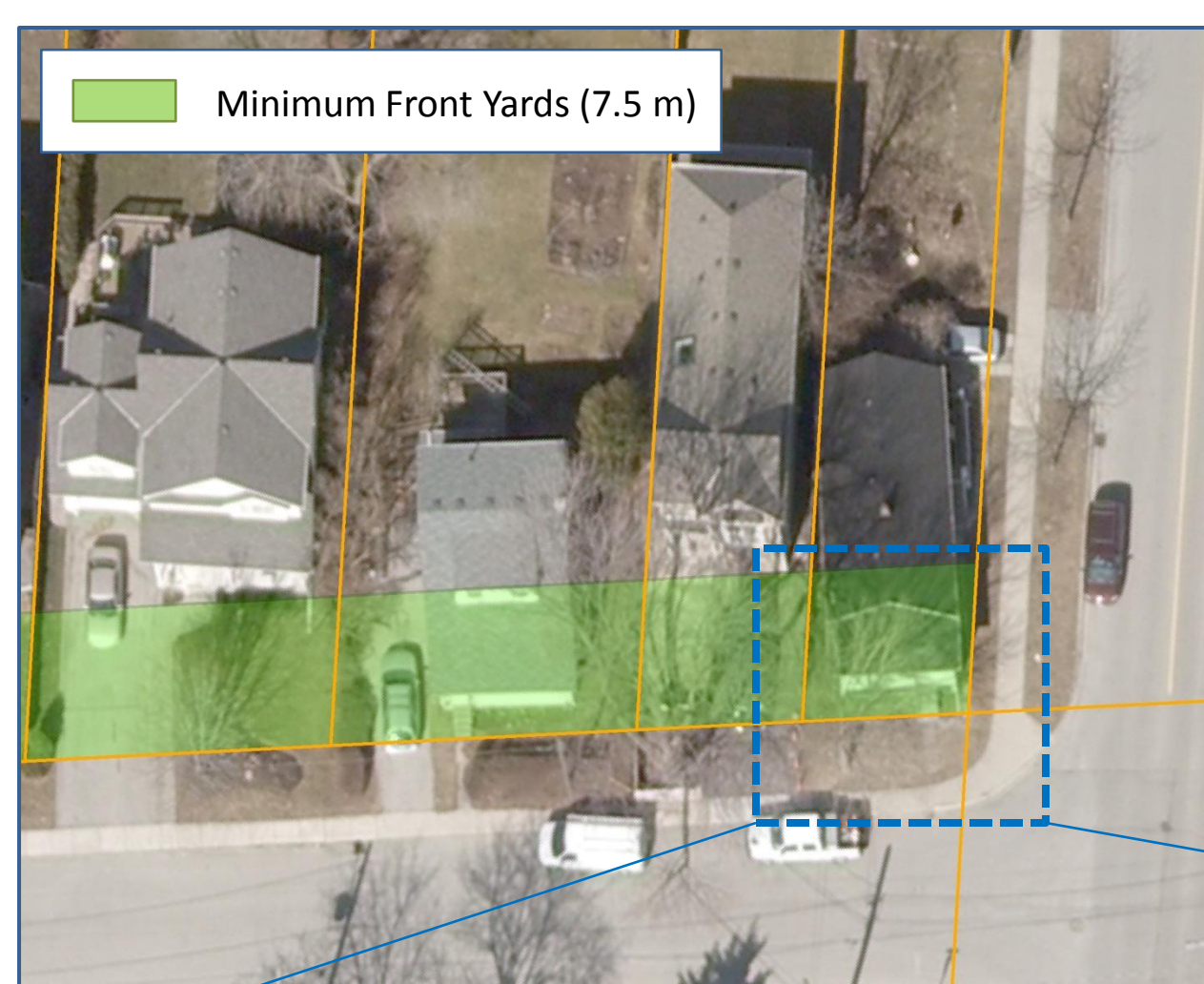
1. Should current limits on home occupations be maintained, tightened or relaxed?
2. Are regulations that limit the scale of the use appropriate (i.e. parking spaces, use only within a building)?
3. What items should be regulated through other means (i.e. municipal licensing)?

Legal Non-conformity

What is Legal Non-Conformity?

In situations where land, buildings, and uses legally existing on the day the new zoning by-law is passed by Council but do not comply with the new zoning standards, the use and/or building will continue to be permitted and be assigned a “*legal non-conforming*” status.

- The legally established building and land use on a property will continue to be permitted, provided that the land owner does not propose to change the property, its use or building characteristics.
- New zoning requirements will only apply to any additional development or proposed change in use on the property.



This house would be *legal non-conforming*, as it would not meet the *minimum front yard* requirement of 7.5 metres in Zoning By-law 1984-63.



Figure 1: Street view of the above dwelling unit