

Portions of this by-law not yet in effect are covered with a blue tone. This version consolidates all amendments and orders of the OMB up to the consolidation date shown below. Contact the Building Services or Planning Services departments for more information.

# Mixed Use Zones

## 8.1 List of Applicable Zones

Central Business District	CBD
Main Street 1	MU1
Main Street 2	MU2
Urban Centre	MU3
Urban Core	MU4

## 8.2 Permitted Uses

Uses permitted in the Mixed Use Zones are denoted by the symbol “✓” in the column applicable to that Zone and corresponding with the row for a specific permitted use in Table 8.2, below.

Table 8.2: Permitted Uses in the Mixed Use Zones (2017-025)						
		CBD	MU1	MU2	MU3	MU4
<i>Accessory dwelling</i>	(5)	✓				
<i>Apartment dwelling</i>		✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>Art gallery</i>	(7)	✓	✓	✓	✓	✓
<i>Bed and breakfast establishment</i>	(5)	✓				
<i>Business office</i>	(6)(7)	✓	✓	✓	✓	✓
<i>Commercial parking area</i>		✓	✓	✓	✓	✓
<i>Commercial school</i>	(7)	✓	✓	✓	✓	✓
<i>Community centre</i>		✓	✓	✓	✓	✓
<i>Conservation use</i>		✓	✓	✓	✓	✓
<i>Day care</i>		✓ (5)	✓	✓	✓	✓
<i>Detached dwelling</i>	(2)	✓	✓	✓		
<i>Dormitory</i>	(4)	✓	✓	✓	✓	✓
<i>Dry cleaning depot (PL140317)</i>	(7)	✓	✓	✓	✓	✓
<i>Dry cleaning/laundry establishment (PL140317)</i>	(7)	✓	✓	✓	✓	✓
<i>Emergency service facility</i>		✓	✓	✓	✓	✓
<i>Emergency shelter (PL140317)</i>		✓ (8)	✓ (8)	✓ (8)	✓ (8)	✓ (8)
<i>Financial institution</i>	(7)	✓	✓	✓	✓	✓
<i>Food bank</i>	(7)	✓	✓	✓	✓	✓
<i>Food production</i>	(7)	✓	✓	✓	✓	✓
<i>Funeral home</i>		✓				
<i>Home Occupation</i>	(5)	✓	✓	✓	✓	✓
<i>Hotel</i>	(7)	✓			✓	✓
<i>Library</i>		✓	✓	✓	✓	✓
<i>Live-work dwelling (2017-025)</i>	(2)	✓	✓	✓		
<i>Long term care facility</i>		✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>Medical office</i>	(6)(7)	✓	✓	✓	✓	✓
<i>Motor vehicle rental facility</i>					✓	✓

# Mixed Use Zones

<b>Table 8.2: Permitted Uses in the Mixed Use Zones</b> (2017-025)					
	<b>CBD</b>	<b>MU1</b>	<b>MU2</b>	<b>MU3</b>	<b>MU4</b>
<i>Museum</i>	✓	✓	✓	✓	✓
<i>Outside display and sales area</i> (7)	✓	✓	✓	✓	✓
<i>Park, public</i>	✓	✓	✓	✓	✓
<i>Pet care establishment</i> (7)	✓	✓	✓	✓	✓
<i>Place of entertainment</i> (7)	✓	✓	✓	✓	✓
<i>Place of worship</i>	✓	✓	✓	✓	✓
<i>Post-secondary school</i>	✓	✓	✓	✓	✓
<i>Private home day care</i> (5)	✓	✓	✓	✓	✓
<i>Public hall</i> (7)	✓			✓	✓
<i>Rental establishment</i> (7)	✓	✓	✓	✓	✓
<i>Restaurant</i> (7)	✓	✓	✓	✓	✓
<i>Retail store</i> (7)	✓	✓	✓	✓	✓
<i>Retirement home</i>	✓ (1)	✓ (3)	✓ (3)	✓ (3)	✓ (3)
<i>School, private</i>	✓	✓	✓	✓	✓
<i>School, public</i>	✓	✓	✓	✓	✓
<i>Semi-detached dwelling</i> (2)	✓	✓	✓		
<i>Service commercial establishment</i> (7)	✓	✓	✓	✓	✓
<i>Short-term accommodation</i> (9)	✓	✓	✓	✓	✓
<i>Sports facility</i> (7)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>	✓	✓	✓	✓	✓
<i>Taxi dispatch</i> (7)	✓	✓	✓	✓	✓
<i>Townhouse dwelling</i> (2)	✓	✓	✓		
<i>Veterinary clinic</i> (7)	✓	✓	✓	✓	✓

### Additional Regulations for Permitted Uses Table 8.2

1. Stand-alone residential *buildings* are not permitted on *lots* having a *front lot line* or *flankage lot line* abutting Lakeshore Road.  
Residential *dwelling units* located on the *first storey* shall have the *main front entrance* into each *premises* oriented towards a public street.
2. Permitted only where the use legally existed on the *lot* on the effective date of this By-law.
3.
  - a) Prohibited in the first 9.0 metres of depth of the *building*, measured in from the *main wall* oriented toward the *front lot line*, on the *first storey* and entirely below the *first storey*.
  - b) Notwithstanding this, an *ancillary residential use* on the *first storey* is permitted to occupy a maximum of 15% of the length of the *main wall* oriented toward a *public road*.
4. Only permitted *accessory* to and on the same *lot* as a post-secondary school or private school.
5. A maximum of one of the *uses* subject to this footnote shall be permitted in a *dwelling*.

## Mixed Use Zones

6. On a *lot* having *lot frontage* greater than 20.0 metres *uses* subject to this footnote are limited to a cumulative maximum width of 50% of the *building* in the first 9.0 metres of depth of the *building* on the *first storey* only, measured in from the *main wall* oriented toward the *front lot line*.
7. Shall have a maximum *net floor area* of 1,400.0 square metres per *premises*, applying only for the portion of the *premises* located on the *first storey*.
8. Prohibited within a single *use building*. (PL140317)
9. Shall be subject to footnote 5 but shall exclude *accessory dwellings*.

### 8.3 Regulations

The regulations for *lots* in a Mixed Use *Zone* are set out in Tables 8.3.1 and 8.3.2, below.

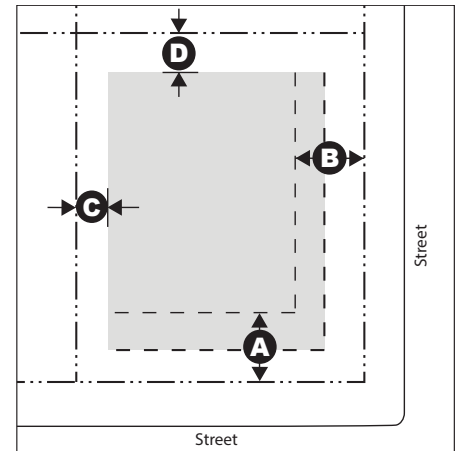
		<b>CBD</b>	<b>MU1</b>	<b>MU2</b>	<b>MU3</b>	<b>MU4</b>
<i>Minimum front yard</i>	<b>A</b>	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum front yard</i>	<b>A</b>	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum flankage yard</i>	<b>B</b>	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum flankage yard</i>	<b>B</b>	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum interior side yard (2015-018)</i>	<b>C</b>	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum interior side yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	<b>C</b>	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
<i>Minimum rear yard (2015-018)</i>	<b>D</b>	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum rear yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	<b>D</b>	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
Minimum number of <i>storeys</i>	<b>H</b>	2 (7)	2 (7)	4 (7)	6 (7)	8 (7)
Maximum number of <i>storeys</i>	<b>H</b>	4 (6)	4	6	8	12
Minimum <i>first storey height</i>		4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)
Minimum <i>height</i>	<b>H</b>	7.5 m (7)	7.5 m (7)	13.5 m (7)	19.5 m (7)	25.5 m (7)
Maximum <i>height</i>	<b>H</b>	15.0 m (6)	15.0 m	22.0 m	29.0 m	43.0 m

#### Additional Regulations for Zone Regulations Table 8.3.1

1. The *maximum front yard* and *maximum flankage yard* requirements do not apply when an *urban square* measuring no less than 300.0 square metres in area and having a minimum length of 10.0 metres is provided along the length of the *main wall* oriented toward the *front* or *flankage lot line*.

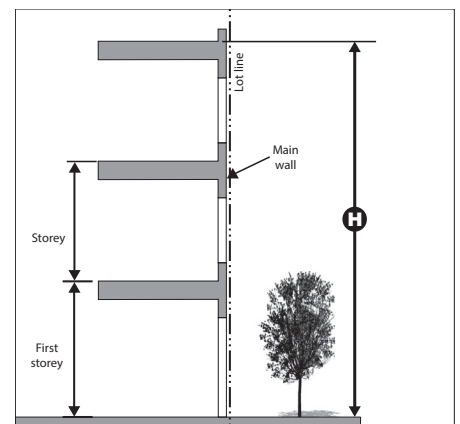
# Mixed Use Zones

2. The *maximum front and flankage yard* shall be 5.0 metres where a *dwelling* occupies the entire *first storey* on a *lot* having *lot frontage* onto any *public road* other than Lakeshore Road West, Lakeshore Road East, or Kerr Street. (2015-079)
3. Shall only apply to the first 12.0 metres of *building height*, measured along the *main wall* oriented toward the *front* or *flankage lot line*.
4. The *minimum yard* shall be increased to 7.5 metres for that portion of a *building* greater than 13.5 metres in *height*.
5. The *minimum yard* shall be increased to 10.0 metres for that portion of a *building* greater than 13.5 metres in *height*.
6.
  - a) The maximum number of *storeys* shall be 3 and the maximum *height* shall be 12.0 metres where the *lot* is adjacent to a *lot* in any Residential Low (RL) Zone.
  - b) Notwithstanding Section 4.6.4(a), a *mechanical penthouse* shall not exceed 3.0 metres in height, measured from the top of the roof on which the *mechanical penthouse* is directly situated, where the *lot* is adjacent to a *lot* in any Residential Low (RL) Zone.
7. Any *building* legally existing on the effective date of this By-law not complying with this provision shall be permitted.



The black circles are letters corresponding to the applicable yard in the regulations table. The shaded area represents the potential building envelope remaining once minimum yards are removed.

Table 8.3.2: Regulations for Permitted Detached, Semi-detached, and Townhouse Dwellings			
	Detached dwellings	Semi-detached dwellings	Townhouse dwellings
Minimum lot area	As legally existing on the effective date of this By-law		
Minimum lot frontage			
Minimum front yard <b>A</b>	As legally existing on the effective date of this By-law less 1.0 metre (1)		
Minimum flankage yard <b>B</b>	3.0 m	3.0 m	3.0 m
Minimum interior side yard <b>C</b>	1.2 m	1.2 m (2)	1.2 m (2)
Minimum rear yard <b>D</b>	7.5 m	7.5 m	7.5 m
Maximum number of storeys <b>H</b>	3	3	3
Maximum height <b>H</b>	12.0 m	12.0 m	12.0 m
Maximum lot coverage for the dwelling	35%	n/a	n/a
Regulations for accessory buildings and structures	Section 6.5 shall apply		



Height is measured to the tallest point of the building.

### Additional Regulations for Zone Regulations Table 8.3.2

1. Notwithstanding this, Section 6.6 additionally applies for any *dwelling* erected between *dwellings* that legally existed on the effective date of this By-law. (2015-018)
2. Section 6.10 of this By-law shall apply for determining *yard* compliance.

# Mixed Use Zones

## 8.4 Location of Functional Servicing

- a) Notwithstanding Section 4.10(b) of this By-law, transformer and telecommunications vaults and pads shall not be located between the *main wall* closest to the *flankage lot line* and the *flankage lot line* in a *flankage yard* or between the *main wall* closest to the *front lot line* and the *front lot line* in a *front yard*.
- b) Stairs and air vents associated with a *parking structure* are not permitted in a *front yard* or *flankage yard*.

## 8.5 Built Heritage Resources Exception

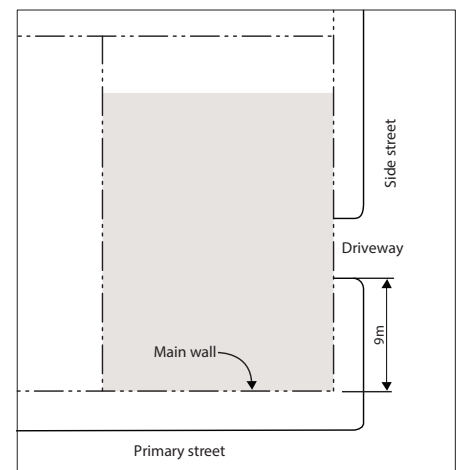
Sections 8.3 and 8.4 and the additional regulations of Permitted Uses Table 8.2 of this By-law shall not apply to any portion of a built heritage resource either designated under the Ontario Heritage Act or listed on the *Town of Oakville* Heritage Register legally existing on the effective date of this By-law.

*New buildings or additions to existing buildings on lots taking advantage of Section 8.5 would be subject to the regulations for the applicable zone.*

## 8.6 Driveway, Parking Structure, and Surface Parking Area Regulations

- a) A *surface parking area*, not including a *driveway*, shall not be permitted in any *yard* between a *building* and Lakeshore Road East, Lakeshore Road West, Kerr Street, Randall Street, Oak Park Boulevard, Old Bronte Road, and Khalsa Gate.
- b) On a *lot* in a *Mixed Use Zone* on Map 19(19a), the maximum *surface parking area coverage* is 50%.
- c) Notwithstanding Section 5.8.2 of this By-law, for a *lot* having *lot frontage* greater than or equal to 15.0 metres the maximum width of a *driveway* for a *detached dwelling*, *semi-detached dwelling*, and *townhouse dwelling* shall be 6.0 metres. (2015-018)
- d) The parking of *motor vehicles* is prohibited in all *storeys* of an above *grade parking structure* for the first 9.0 metres of the depth of the *building*, measured in from the *main wall* oriented toward the *lot line* adjacent to Lakeshore Road West, Lakeshore Road East, Kerr Street, Randall Street, Old Bronte Road, Oak Park Boulevard, and Khalsa Gate. (2015-018)
- e) On a *corner lot*, a *driveway* providing access to a *parking structure* that crosses a *flankage lot line* shall be set back a minimum of 9.0 metres from the *main wall* of the *parking structure* oriented toward the *front lot line*. (2015-018)
- f) The minimum *first storey height* of Table 8.3.1 shall not apply for those parts of the *first storey* of a *parking structure* solely occupied by *parking area*. (2015-018)

*Subsection (b) applies only in Palermo Village and implements Section 22.4.1(b)(ii) of the Livable Oakville Plan.*



*Subsection (e) requires a driveway providing access to a parking structure to be set back 9.0 metres from the main front wall.*

## Mixed Use Zones

### 8.7 Use of a Basement Permitted

Nothing in this Part of the By-law shall apply to limit *uses* above *grade* where a *basement* is used for storage accessory to a permitted *use* within the same *building*. (2015-018)

### 8.8 Main Wall Proportions

The following *main wall* proportion requirements apply to new *buildings* constructed after the effective date of this By-law:

- a) A minimum of 75% of the length of all *main walls* oriented toward the *front lot line* shall be located within the area on the *lot* defined by the *minimum* and *maximum front yards*.
- b) A minimum of 75% of the length of all *main walls* oriented toward the *flankage lot line* shall be located within the area on the *lot* defined by the *minimum* and *maximum flankage yards*.
- c) For clarity, Section 8.8 does not apply to additions to *buildings* legally existing on the effective date of this By-law.