



OAKVILLE

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2016-102

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as Part of Lots 28, 29 and 30, Concession 2, Town of Oakville (Bronte Green Corporation, File No.:Z.1530.07)

ORDERED BY THE ONTARIO MUNICIPAL BOARD:

1. Map 19(12) of By-law 2014-014 is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 15, Special Provisions, of By-law 2014-014 is amended by adding a new Section 15.376 as follows:

<b>376</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zones: RL6, RM1, RM2, RM4, C1
Map 19(12)		2016-102
<b>15.376-1 General Zone Provisions for All Lands</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the <i>porch</i> . However, steps may encroach into the required depth. <i>Porches</i> shall have walls that are open and unenclosed for at least 60% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
b)	Notwithstanding Table 4.3, bay, box out and bow windows with or without foundations, with a maximum width of 3.0 m. and maximum height of 2 storeys may encroach up to a maximum of 0.6 m into a minimum <i>yard</i> and may include a door.	



c)	Notwithstanding Table 4.3, a <i>porch</i> may encroach up to 1.0 m from the <i>flankage lot line</i> and access stairs may encroach up to 0.6 m from the <i>flankage lot line</i> .
d)	Notwithstanding Table 4.3, in a Residential Low RL6 zone and Residential Medium RM1 zone, maximum encroachment of <i>uncovered platforms</i> with or without a foundation shall be 3.0 metres from the <i>rear lot line</i> , except access stairs may encroach up to 1.8 m from the <i>rear lot line</i> .
e)	Notwithstanding Table 4.3, in a Residential Medium RM1 and RM2 zone, the maximum encroachment of <i>porches</i> with or without a foundation shall be up to 1.5 m from the <i>front lot line</i> .
f)	Notwithstanding Section 5.2.3 a), the minimum dimensions of a <i>parking space</i> not located in a <i>private garage</i> shall be 2.7 metres in width and 5.5 metres in depth.
g)	Notwithstanding Section 5.2.3 b), the minimum dimensions of a <i>parking space</i> located in a <i>private garage</i> shall have a depth of 5.5 metres, and: <ul style="list-style-type: none"> <li>• Where one <i>parking space</i> is provided, 3.0 metres in width; and,</li> <li>• Where two <i>parking spaces</i> are provided, 5.6 metres in width.</li> </ul>
h)	For the purpose of calculating the required <i>yards</i> , <i>lot area</i> and <i>frontage</i> on a street, a publicly-owned 0.3 m. reserve adjoining the <i>lot</i> shall be deemed to be part of the <i>lot</i> .
i)	Corner lots shall be deemed to be interior lots for the purpose of measuring established grade.
j)	" <i>Lot</i> " when used for a community use means a parcel of land entirely owned by one person or one group of persons meeting the requirements of this By-law for the use to which it is put.

**15.376.2 Zone Provisions for RL6 Lands**

The following regulations apply:

a)	Maximum <i>front yard</i> for lots identified as Block 1 on Figure 15.376.1	6.5 m, measured from the <i>front lot line</i> to the <i>main wall</i>
b)	Minimum <i>flankage yard</i>	2.5 m with <i>porch</i> in <i>flankage yard</i>



c)	Minimum <i>rear yard</i>	7.0 m, except that the <i>first storey</i> may project a maximum 3.0 m from the rear wall of the <i>dwelling</i> into the <i>rear yard</i> for a maximum of 45% of the <i>dwelling</i> width. The maximum <i>first storey</i> ceiling height shall be 3.1 m, and a minimum <i>side yard</i> setback of 1.2 m, measured at the rear of the main <i>building</i> shall be provided.
d)	Maximum number of <i>storeys</i>	3, except for those <i>lots</i> identified on Figure 15.376.3, the maximum number of <i>storeys</i> shall be 2.
e)	Maximum <i>height</i>	12.0 m
f)	Maximum <i>lot coverage</i> for the <i>dwelling</i>	n/a
g)	Minimum <i>landscaping coverage</i>	10%
<b>15.376.3 Special Site Provisions for R1-6 Lands</b>		
The following additional provisions apply:		
a)	Notwithstanding 5.8.2, the maximum width of the <i>driveway</i> shall not exceed the exterior width of the <i>private garage</i> , except where the <i>driveway</i> abuts a <i>porch</i> , in which case the width of the <i>driveway</i> may extend to the edge of the <i>porch</i> , or building to a maximum 1.0 metre beyond the width of the <i>private garage</i> .	

b)	The calculation of <i>driveway</i> width shall apply along the entire length of the <i>driveway</i> . The measurement shall be calculated including any continuous hard surface area or discontinuous hard surface area within 0.6 m of the widest part of the continuous hard surface area on the same <i>lot</i> , measured along the entire length of the <i>driveway</i> perpendicular from one edge of the continuous hard surface area.
c)	Notwithstanding subsection 15.376.3 b), one walkway access may be connected to the side of the <i>driveway</i> . The maximum width of the walkway access at the point of attachment shall be 1.0 metre, measured along its entire length.
d)	The cumulative <i>private garage</i> door width on a lot shall not exceed 50% of the <i>lot frontage</i> less 1.8 m on an <i>interior lot</i> or 50% of the <i>lot frontage</i> less 3.1 m on a <i>corner lot</i> .
e)	Section 5.8.6, " <i>Private Garage Maximum Sizes</i> " shall not apply.
f)	No more than 30% of the elevations of <i>detached dwellings</i> along a street in any block shall be alike in external design with respect to size and location of doors, windows, projecting <i>balconies</i> , landings and <i>porches</i> . <i>Building elevations</i> alike in external design shall not be erected on adjoining <i>lots</i> fronting on the same street unless the floor plan is reversed and, in any case, shall not be erected on more than two successive adjoining <i>lots</i> fronting on the same street.
g)	<i>Lots</i> identified on Figure 15.376.2 shall be deemed <i>interior lots</i> .
h)	Notwithstanding Table 6.2.1, a <i>public school</i> is permitted on the lands identified as Block 1 on Figure 15.376.6 subject to the CU regulations.
i)	Notwithstanding Table 4.3, in a RL6 zone, access stairs may encroach up to 0.6 m from the <i>front and flankage lot line</i> .
J)	Notwithstanding Table 6.2.1, a townhouse dwelling is permitted on the lands identified as Block 1 on Figure 15.376.5 subject to the RM1-376.6 regulations.

**15.376.4 Zone Provisions for RM1 Lands**

The following regulations apply:

a)	Minimum <i>lot area</i>	125.0 sq.m per unit
b)	Minimum <i>lot frontage</i>	6.0 m per unit
c)	Minimum <i>front yard</i>	3.0 m
d)	Minimum <i>flankage yard</i>	2.5 m with <i>porch</i> in <i>flankage yard</i>
e)	Minimum <i>separation distance</i> between <i>dwelling units</i> backing onto Lane A as identified on Figure 15.376.4	12.0 m for second <i>storey</i> and above



f)	Minimum number of <i>storeys</i> for <i>lots</i> within 20.0 m of Bronte Road	3
g)	Minimum <i>rear yard</i> for dual frontage <i>townhouse dwelling</i> units as identified on Figure 15.376.8	3.0 m
h)	Maximum <i>height</i>	14.0 m for 3 storey with peaked roof. For those lots identified on Figure 15.376.3, the maximum number of storeys shall be 2
<b>15.376.5 Special Site Provisions for RM1 Lands</b>		
The following additional provisions apply:		
a)	Notwithstanding 5.8.2, the maximum width of the <i>driveway</i> shall not exceed the exterior width of the <i>private garage</i> , except where the <i>driveway</i> abuts a <i>porch</i> , in which case the width of the <i>driveway</i> may extend to the edge of the <i>porch</i> , or <i>building</i> to a maximum 1.0 metre beyond the width of the <i>private garage</i> .	
b)	The calculation of <i>driveway</i> width shall apply along the entire length of the <i>driveway</i> . The measurement shall be calculated including any continuous hard surface area or discontinuous hard surface area within 0.6 metres of the widest part of the continuous hard surface area on the same lot, measured along the entire length of the <i>driveway</i> perpendicular from one edge of the continuous hard surface area.	
c)	Notwithstanding subsection 15.376.5 b), one walkway access may be connected to the side of the <i>driveway</i> . The maximum width of the walkway access at the point of attachment shall be 1.0 metre, measured along its entire length.	
d)	Where a <i>lot</i> is adjacent to a public park or Bronte Road the <i>front yard</i> shall be deemed to be the <i>lot line</i> adjacent to the public park or Bronte Road.	
e)	The cumulative <i>private garage</i> door width on a lot shall not exceed 50% of the <i>townhouse dwelling</i> width where the garage door faces the <i>front</i> or <i>flankage lot line</i> .	
f)	The maximum <i>private garage</i> depth shall be 9.0 m	
g)	<i>Established grade</i> to be taken at the centre point of the <i>front lot line</i> of each <i>townhouse dwelling</i> .	



h)	Notwithstanding Section 4.11.1 a), the areas under a <i>porch</i> without a foundation shall count towards the <i>landscaping</i> minimum dimension of 3.0 m by 3.0 m.	
i)	Section 4.6.6 c) shall not apply to a <i>rooftop terrace</i> located on the roof of the <i>first storey</i> .	
j)	Notwithstanding Section 4.6.6 b) a <i>rooftop terrace</i> shall be permitted on the roof of the <i>first storey</i> within any RM1 zone.	
<b>15.376.6 Zone Provisions for RM2 Lands</b>		
The following regulations apply:		
a)	Minimum <i>lot area</i>	80.0 sq.m
b)	Minimum <i>lot frontage</i>	5.5 m/unit
c)	Minimum <i>flankage yard</i>	2.5 m with porch in flankage yard
d)	Maximum <i>height</i>	14.0 m for 3 storey with peaked roof
e)	Minimum <i>landscaping coverage</i>	10%
f)	Minimum <i>front yard</i>	3.0 m
<b>15.376.7 Special Site Provisions for RM2 Lands</b>		
The following additional provisions apply:		
a)	The maximum width of the <i>driveway</i> shall not exceed the exterior width of the <i>private garage</i> , except where the <i>driveway</i> abuts a <i>porch</i> , in which case the width of the <i>driveway</i> may extend to the edge of the <i>porch</i> , or <i>building</i> to a maximum 1.0 metre beyond the width of the <i>private garage</i> .	
b)	The calculation of <i>driveway</i> width shall apply along the entire length of the <i>driveway</i> . The measurement shall be calculated including any continuous hard surface area or discontinuous hard surface area within 0.6 metres of the widest part of the continuous hard surface area on the same <i>lot</i> , measured along the entire length of the <i>driveway</i> perpendicular from one edge of the continuous hard surface area.	
c)	Notwithstanding subsection 15.376.7 b), one walkway access may be connected to the side of a <i>driveway</i> . The maximum width of the walkway access at the point of attachment shall be 1.0 metre, measured along its entire length.	
d)	<i>Established grade</i> to be taken at the centre point of the <i>front lot line</i> of each <i>townhouse dwelling</i> .	



<b>15.376.8 Additional Permitted Uses for RM4 Lands</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Back-to-back townhouse dwelling</i>	Permitted together with an apartment building on the same block subject to RM2-376.6 and RM2-376.7 regulations
b)	<i>Stacked townhouse dwelling</i>	Permitted together with an apartment building on the same block subject to RM3 regulations
<b>15.376.9 Zone Provisions for RM4 Lands</b>		
The following regulations apply to apartment <i>buildings</i> :		
a)	Minimum <i>front yard</i>	0.5 m
b)	Maximum <i>front yard</i> for the first 12.0 m of building height	3.0 m
c)	Minimum <i>flankage yard</i>	0.5 m
d)	Minimum flankage yard Street A	1.0 m
e)	Maximum <i>flankage yard</i> for the first 12.0 m of building height	3.0 m
f)	Minimum <i>interior side yard</i>	0.5 m, except where abutting the Enbridge Pipeline right-of-way, the minimum shall be per Section 4.19.1
g)	Maximum <i>interior side yard</i> for the first 12.0 m of building height	3.0 m, except where abutting the Enbridge Pipeline right-of-way, the maximum shall be 5.0 m.
h)	Minimum <i>rear yard</i>	0.5 m



i)	Minimum <i>main wall</i> proportions	75% of the length of main walls oriented towards the front, interior, and/or flankage lot line shall be located within the area on the lot defined by the minimum and maximum yards.
j)	Minimum <i>separation distance</i> between buildings containing <i>dwelling units</i>	12.0 m, to only apply where the <i>dwelling unit</i> contains a <i>balcony</i> .
k)	Minimum <i>height</i>	14 m and 4 <i>storeys</i>
l)	Maximum <i>height</i>	22.0 m and 6 <i>storeys</i>
<b>15.376.10 Additional Zone Provisions for RM4, Block A Lands, as identified on Figure 15.376.4</b>		
The following additional regulations apply to lands identified as Block A on Figure 15.376.4:		
a)	Minimum number of <i>dwelling units</i>	180 units
<b>15.376.11 Additional Zone Provisions for RM4, Block C Lands, as identified on Figure 15.376.4</b>		
The following additional regulations apply to lands identified as Block C on Figure 15.376.4:		
a)	Minimum number of <i>dwelling units</i>	140 units
<b>15.376.12 Additional Zone Provisions for RM4, Block D Lands, as identified on Figure 15.376.4</b>		
The following additional regulations apply to lands identified as Block D on Figure 15.376.4:		
a)	Minimum number of <i>dwelling units</i>	140 units
<b>15.376.13 Parking Regulations for RM4 Lands</b>		
The following parking regulations apply:		
a)	Maximum <i>surface parking area</i>	25% of required parking





<b>15.376.14 Special Site Provisions for RM4 Lands</b>		
The following additional provisions apply:		
a)	The westerly <i>lot line</i> abutting Bronte Road shall be deemed the <i>front lot line</i> .	
<b>15.376.15 Zone Provisions of C1 Lands</b>		
The following regulations apply:		
a)	Maximum <i>front yard</i>	3.0 m
b)	Maximum <i>flankage yard</i>	3.0 m
c)	Minimum height	7.0 m
d)	Maximum <i>height</i>	12 m
e)	Maximum <i>net floor area</i> for all retail and service commercial uses	3,500.0 sq.m
<b>15.376.16 Special Site Provisions for C1 Lands</b>		
The following additional provisions apply:		
a)	A <i>building</i> shall occupy at least 80% of the <i>lot lines</i> identified on figure 15.376.7.	
b)	The lot line abutting Street K is deemed to be a front lot line.	
c)	Section 9.4 shall not apply.	
d)	Notwithstanding Table 5.2.1, office uses on the second floor may be permitted up to a maximum net floor area of 40% of the net floor area on the ground floor with no additional parking requirements.	



15.376.17 Special Site Figures

Figure 15.376.1

Fig 15.376.1 (Max Front Yard)

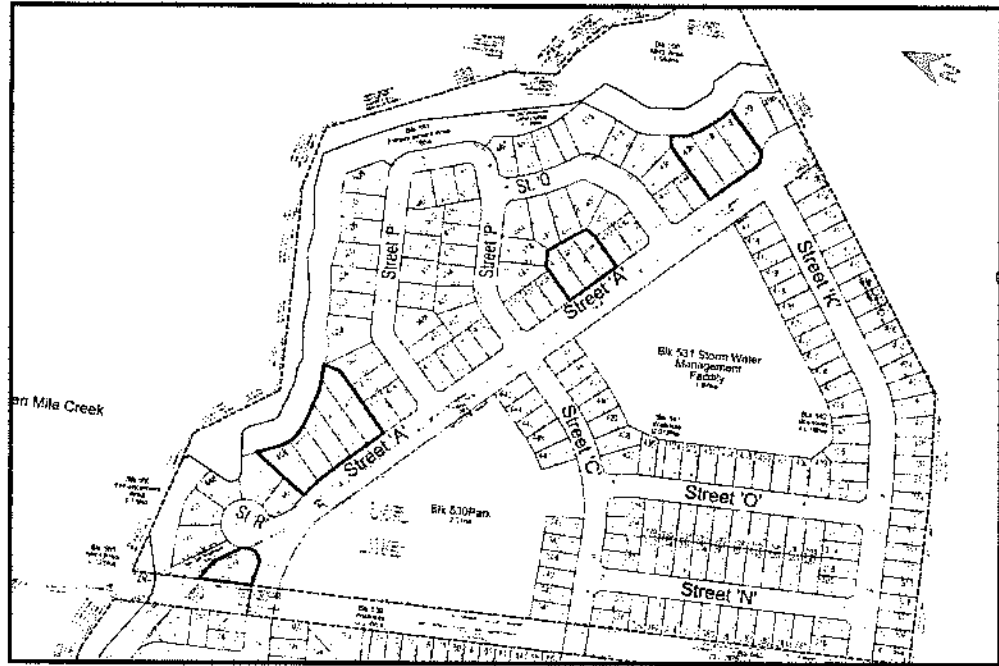


Figure 15.376.2

Fig 15.376.2 (Flankage)

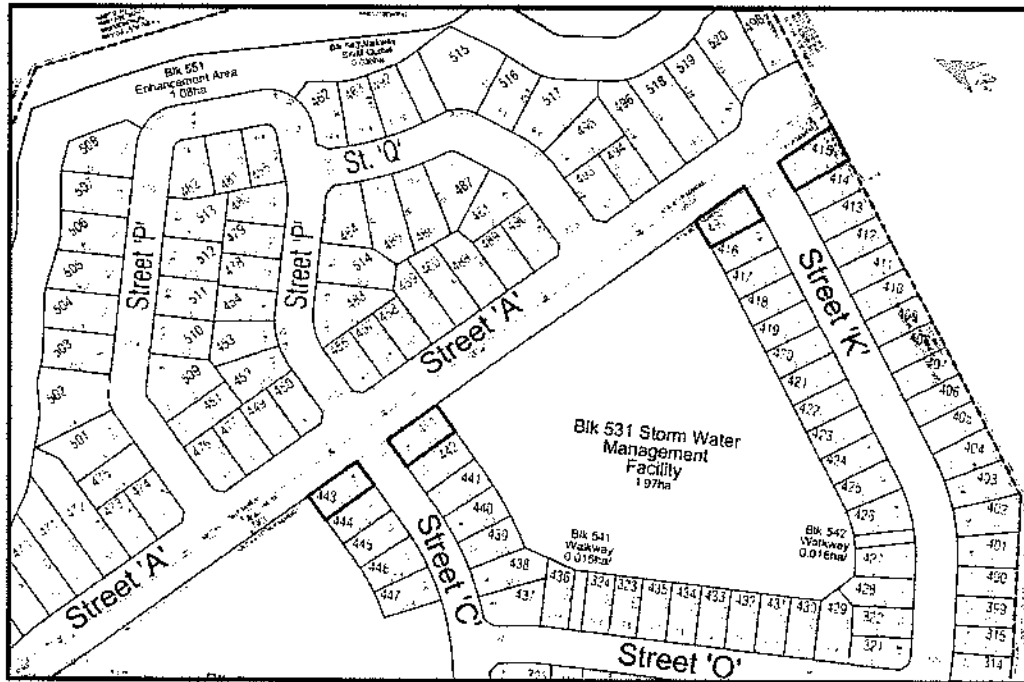




Figure 15.376.3

Fig 15.376.3 (Max Heights)

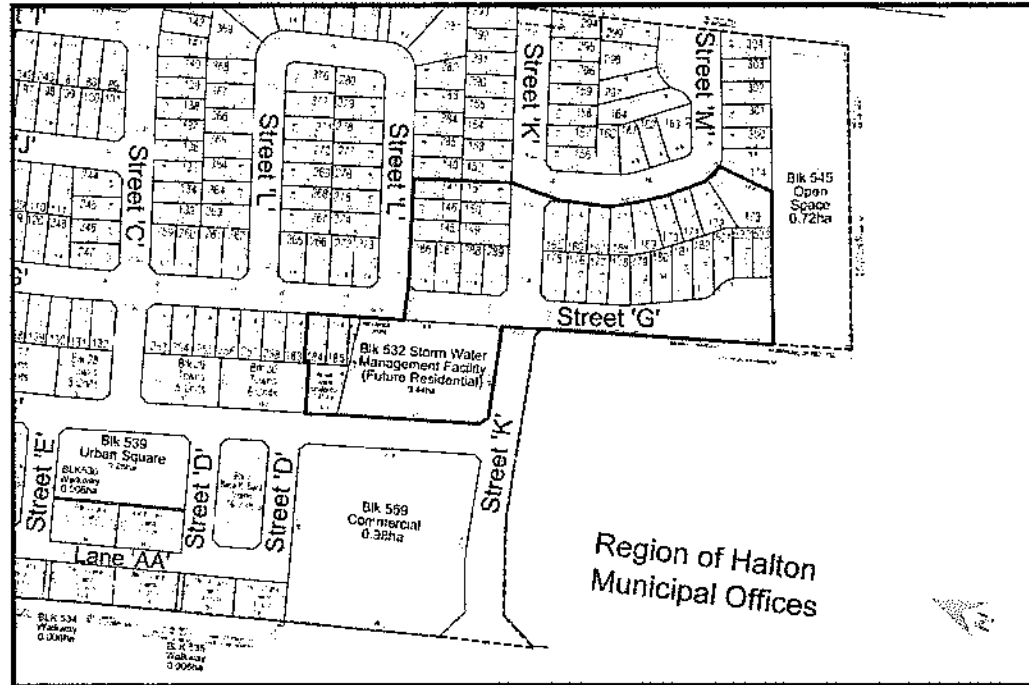


Figure 15.376.4

Fig 15.376.4 (Blocks and Lane)

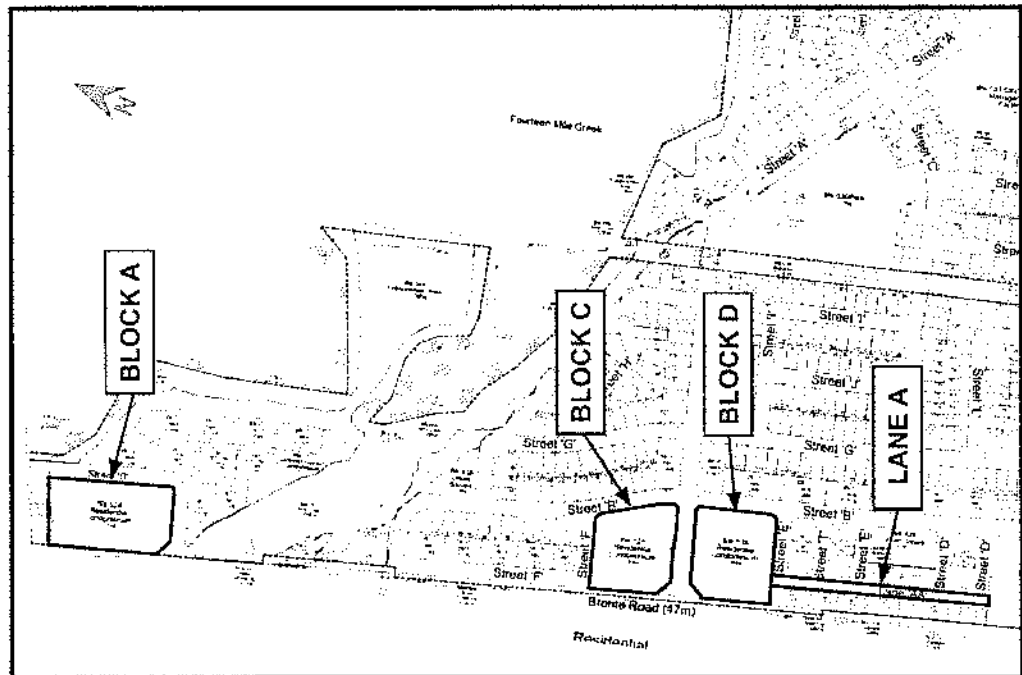




Figure 15.376.5

Fig 15.376.5 (Townhouse)

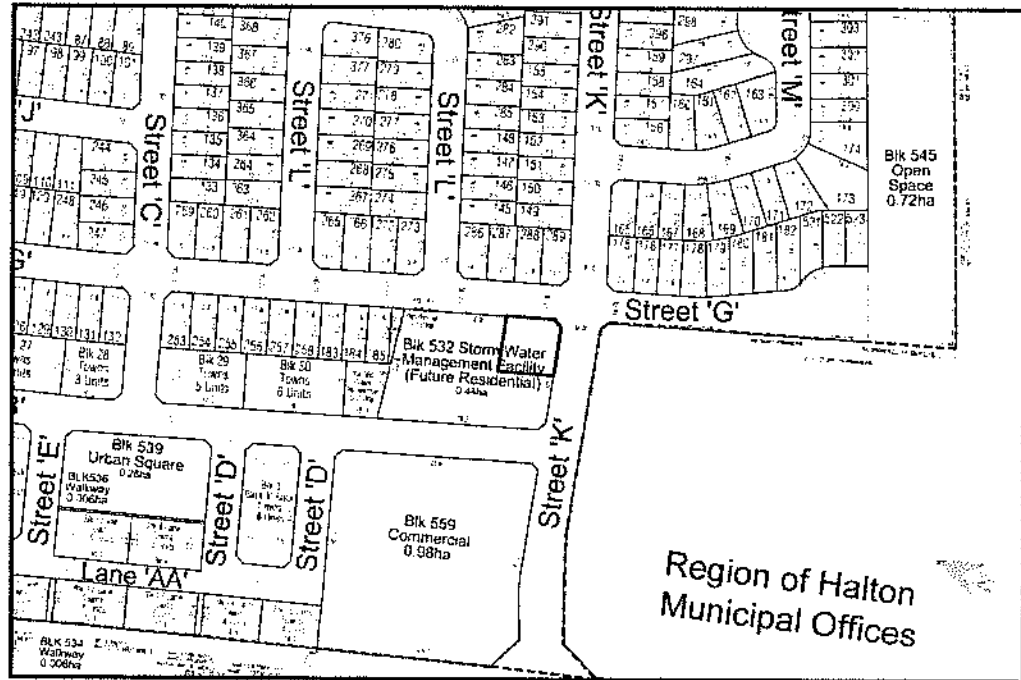
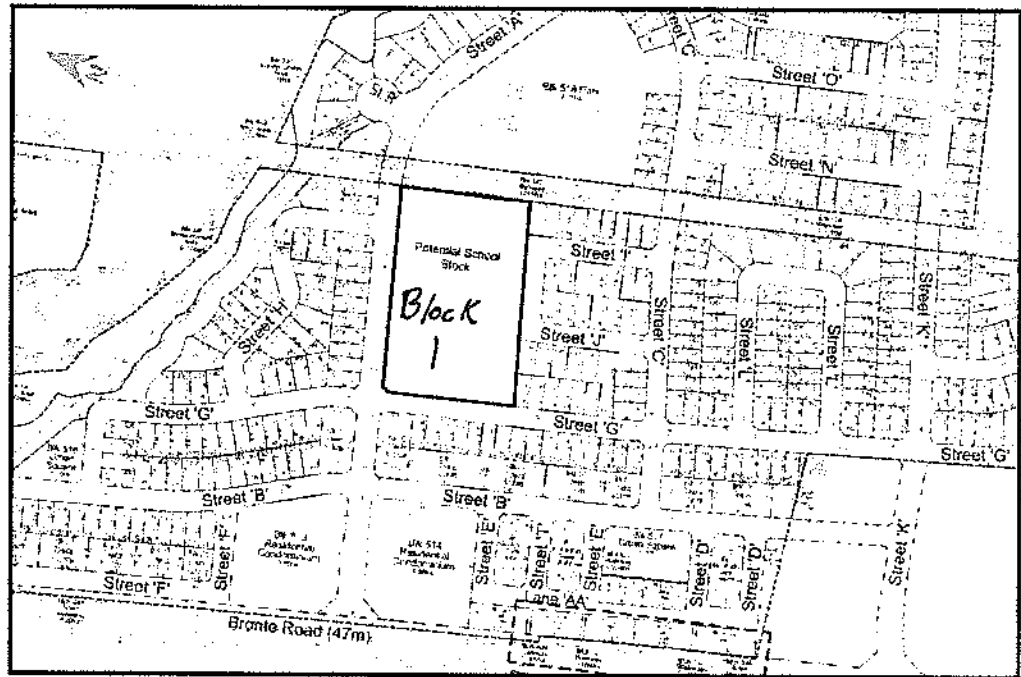
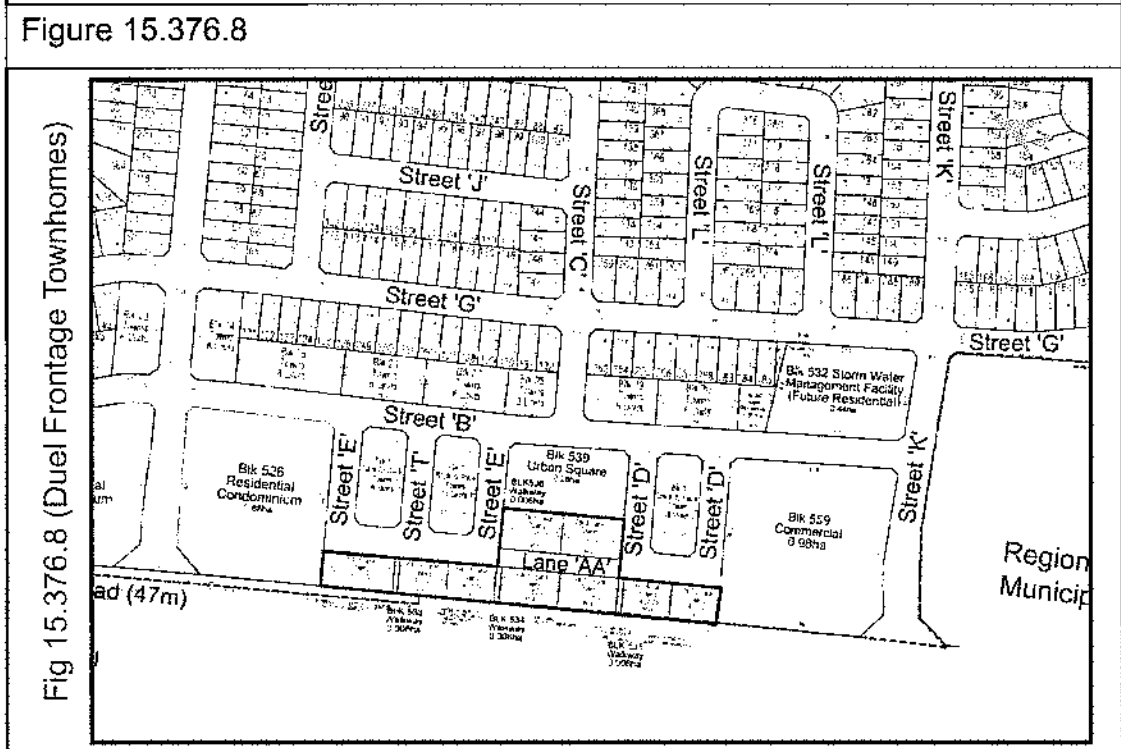
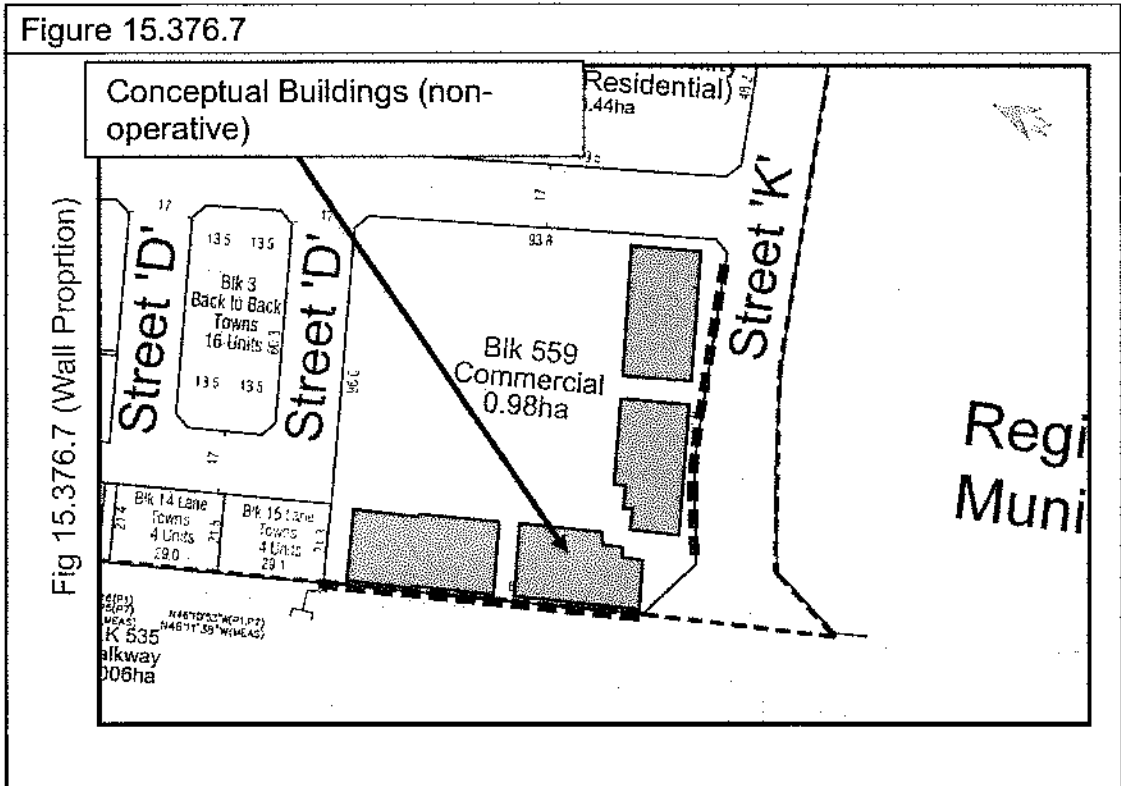


Figure 15.376.6

Fig 15.376.6 (Elementary School)





3. Part 16, Holding Provisions, of By-law 2014-014 is amended by adding a new Section 16.3. H30, 31, 32 & 33 as follows:

<b>H30</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RL6
Map 19(12)		(2016-102)
<b>16.3.30.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Stormwater Management Facility	
<b>16.3.30.2 Zone Provisions Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, the provisions of the SMF Zone shall apply.		
<b>16.3.30.3 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.	
b)	A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.	
c)	That a detailed noise study conducted by a qualified Professional Engineer shall be provided which demonstrates compliance with Ministry of Environment sound level limits, to the satisfaction of Halton Region and the Town of Oakville.	
d)	That an updated functional servicing report be submitted which provides for potential decommissioning of the existing stormwater management pond and all grading, drainage and SWM and implications on the Region's future EMS lands be provided to the satisfaction of Halton Region, Conservation Halton and the Town of Oakville.	
e)	The required noise walls associated with the noise impacts from the Region's Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region."	



<b>H31</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RM4
Map 19(12)		(2016-102)
<b>16.3.31.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses of land existing on the <i>lot</i> as of the effective date of this by-law.	
b)	Temporary sales office in accordance with Section 4.25.3	
<b>16.3.31.2 Zone Provisions Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, the provisions of the ED Zone shall apply.		
<b>16.3.31.3 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	The completion of the widening of Bronte Road to 6 lanes to allow for the construction and operation of a full movement intersection at Street S and Bronte Road to the satisfaction of Halton Region."	

<b>H32</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RM1, RL6
Map 19(12)		(2016-102)
<b>16.3.32.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Stormwater Management Facility	
<b>16.3.32.2 Zone Provisions Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, the provisions of the SMF Zone shall apply.		
<b>16.3.32.3 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That an updated functional servicing report be submitted which confirms the lands are not required for stormwater management, to the satisfaction of Halton Region, Conservation Halton and the Town of Oakville."	



<b>H63</b>	<b>Bronte Road, Upper Middle Road (Part of Lots 28, 29 and 30, Concession 2)</b>	Parent Zone: RL6 (2016-102)
Map 19(12)		
<b>16.3.33.1 Only Permitted Uses Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses of land existing on the lot as of the effective date of this by-law.	
<b>16.3.33.2 Zone Provisions Prior to Removal of the "H"</b>		
For such time as the "H" symbol is in place, the provisions of the ED Zone shall apply.		
<b>16.3.33.3 Conditions for Removal of the "H"</b>		
The "H" symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	That the Owner's acoustical engineer shall prepare further technical details in co-operation with the Region of Halton for the implementation of the necessary noise control measures to reduce the acoustic emissions of the two existing generator sets located within the former Police Services Building in the Halton Regional Centre, at the cost of the Developer and to the satisfaction of the Region in order to comply with the sound level limits provided in MOECC noise guidelines and NPC-300 at the residential lots.	
b)	The required noise walls associated with the noise impacts from the Region's Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region."	

ORDERED by the Ontario Municipal Board dated November ##th/st/nd/rd, 2016 for OMB File No. PL141318.

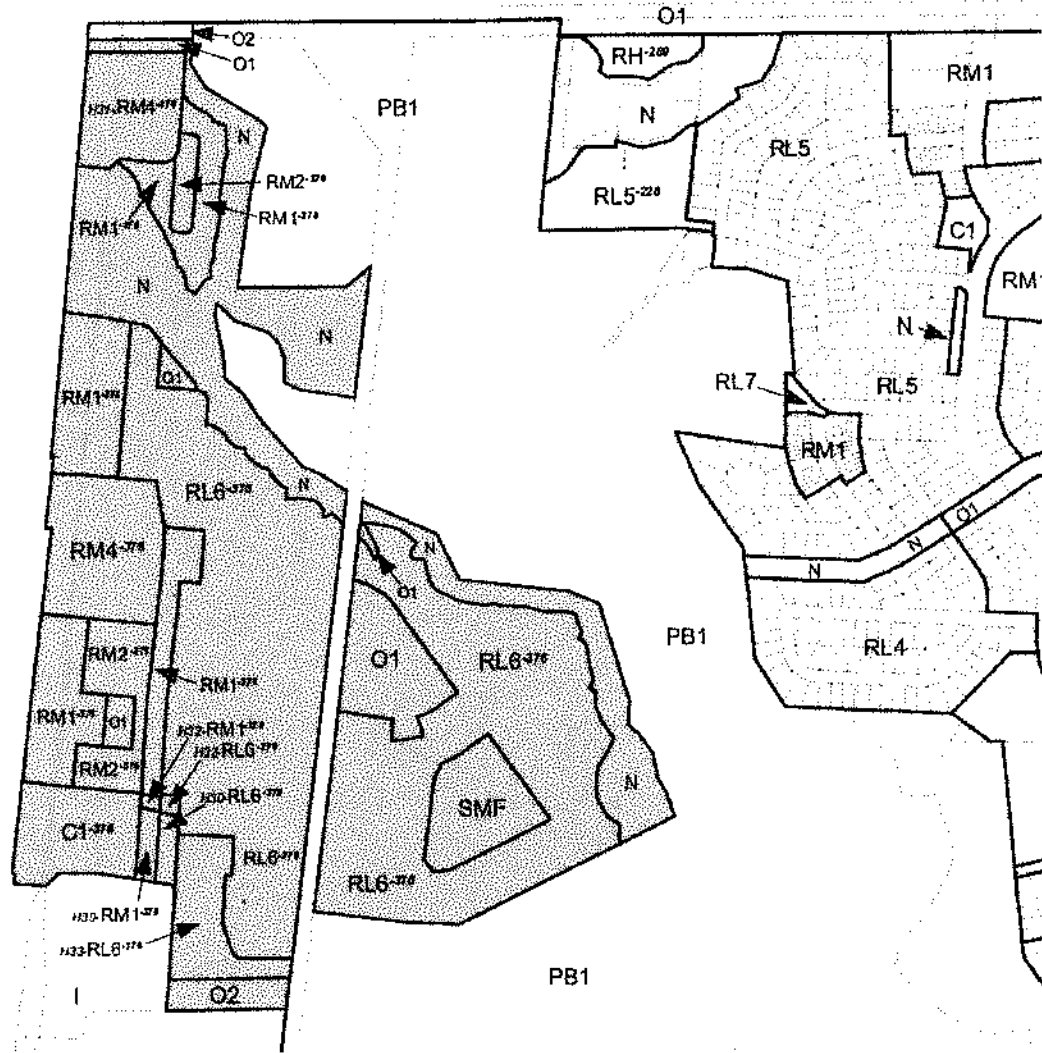
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MAYOR

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CLERK






### SCHEDULE "A" To By-law 2016-102



### AMENDMENT TO BY-LAW 2014-014

 Rezoned from Private Open Space (O2) and Institutional (I) to

- Residential Low (RL6 sp:376, H30-RL6 sp:376, H32-RL6 sp:376, H33-RL6 sp:376);
- Residential Medium (RM1 sp:376, H30-RM1 sp:376, H32-RM1 sp:376);
- Residential Medium (RM2 sp:376);
- Residential Medium (RM4 sp:376, H31-RM4 sp:376);
- Neighbourhood Commercial (C1 sp:376);
- Park (O1);
- Natural Area (N); and
- Stormwater Management Facility (SMF)

EXCERPT FROM MAP  
19 (12)



SCALE 1 : 8500

