

Memo

To: Members of Council
From: Planning Services
Date: February 25, 2014
Subject: Summary of final changes to the final updated draft (v3.1) of the Town of Oakville Comprehensive Zoning By-law 2014-014

REVISED RECOMMENDATION:

1. That pursuant to subsection 34(17) of the *Planning Act*, no further notice is determined to be necessary for the changes made to proposed By-law 2014-014;
2. That the Town of Oakville Comprehensive Zoning By-law 2014-014 be passed as amended in accordance with the Memo dated February 25, 2014 from the Planning Services Department;
3. That Council authorize the Director of Building Services to waive minor variance application fees where a second application is necessary to obtain the same relief under both Zoning By-law 1984-63 and Zoning By-law 2014-014;
4. That the work of the inZone Subcommittee be deemed complete and that the subcommittee be sunsetted; and
5. That By-law 2014-030, a by-law to clarify zoning references in other by-laws as a result of the Zoning By-law 2014-014, be passed.

COMMENT:

The following changes are proposed to be made to the updated final draft (v3.1) of Zoning By-law 2014-014 as it appears in the agenda package:

Memo

ZBL Section	Amended Provision	Reason for Change
3.	Definition of ancillary residential use ...for access, eating dining, or recreational purposes ...	Updates wording to be consistent with other definitions
3.	Definition of animal shelter means a use premises, including outdoor areas, used for the care of...	Updates wording to be consistent with other definitions
3.	Definition of commercial self-storage means a building premises consisting of...	Updates wording to be consistent with other definitions
3.	Definition of community centre: ...or part of a facility owned and operated by a public authority that offers a variety of programs... ...by the Town, other accessory uses authorized...	Difference between private/public ownership was deleted in the final draft (v3.0), but this additional phrase was missed Clarifies intent
3.	Definition of day care: a) indoor and outdoor a premises, including outdoor areas, where more than... b) indoor and outdoor a premises, including outdoor areas, in which care is...	Updates wording to be consistent with other definitions
3.	Definition of dry cleaning/laundry: ...cleaning or laundering of personal wardrobe articles or accessories is conducted.	Clarifies intent
3.	Definition of apartment dwelling: ia) ...corridor or vestibule; or and, ib) in a Mixed Use Zone, <u>additional means</u> a dwelling unit within a building...	Addition is proposed to maintain interpretive flexibility in defining dwelling units
3.	New definition of live-work dwelling: means a dwelling unit used and operated by one or more persons of a single household containing a subsidiary business and personal services occupancy that does not include food preparation requiring exhaust hood ventilation or producing grease-laden vapour.	Definition omitted in updated final draft (v3.1) and is needed to give effect to those previously identified changes. The proposed definition is new and modelled on the Ontario Building Code definition while incorporating a food preparation restriction in current SP 592.
3.	Definition of dwelling depth: ...that portion of a building containing a dwelling facing the front lot line...	Clarifies intent
3.	Definition of emergency service facility: means a building premises that houses housing emergency...	Updates wording to be consistent with other definitions

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ZBL Section	Amended Provision	Reason for Change
3.	Delete second paragraph in definition of floor area	Attic calculations only needed for residential floor area calculation, with appropriate language already included
3.	Definition of residential floor area: means the aggregate area of <u>all floors in</u> a residential building ... New (a), reletter accordingly: <u>Where residential floor area is located on the same level as an attic, residential floor area shall be calculated from the exterior face of the dwarf wall.</u>	Clarifies intent and application
3.	Definition of funeral home: means a building, or part of a building, premises used for the...	Updates wording to be consistent with other definitions
3.	Definition of established grade: b) The <u>average of the</u> centre points of each lot line abutting a road for corner lots, through lots, and through corner lots, averaged across all measured points.	Clarifies intent and application
3.	Definition of first storey height: ...level of the storey above the first storey.	Clarifies intent and application
3.	Definition of hotel: means a building, premises containing lodging units	Updates wording to be consistent with other definitions
3.	Definition of main wall: means the a primary exterior front, rear or side wall of a building, not including permitted projections and indentations.	Clarifies intent and application (that all walls oriented toward the applicable lot line count as “main walls”)
3.	Definitions of manufacturing and warehousing: ...substances, articles or things, or products.	Clarifies intent
3.	Definition of outside display and sales area: means an outdoor area that may contain a building or structure used in conjunction with a permitted use on the same lot for the accessory display, rental, or sale of products or the supply of services in association with the primary use of the lot.	Clarifies intent
3.	Definition of outside processing: means the conducting of a manufacturing operation or repair shop outdoors.	Clarifies intent

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ZBL Section	Amended Provision	Reason for Change
3.	Definition of outside storage: means <u>an outdoor area that may contain a building or structure used for the accessory the</u> keeping of goods, inventory, materials, machinery, or equipment outside including shipping containers <u>in association with the primary use of the lot.</u>	Clarifies intent
3.	Delete an “s” in the term “heavy vehicles parking area”	Updates wording to be consistent with other terms used in By-law
3.	Definition of place of entertainment: ...indoor miniature golf course , indoor paintball facility, ...	Updates wording to be consistent with other terms used in By-law
3.	Definition of premises: ...used by an individual business <u>or organization.</u>	Clarifies intent
3.	Definition of private school and public school: means a building, structure or part thereof <u>premises, including outdoor areas,</u> where academic instruction...	Updates wording to be consistent with other terms used in By-law
3.	Definition of service commercial establishment: ...or repair of personal wardrobe articles and accessories)...	Clarifies intent
3.	Delete definition of “temporary tent or stage”	Term not used in By-law
3.	Delete “and distribution” from term “Wholesaling and distribution ”	Updates wording to be consistent with other terms used in By-law
4.1.2	Delete subsection (c)	Duplicated by subsection (b) above; deletion clarifies intent
4.3	Fire escapes: replace side with <u>interior</u> side	Corrects intent
4.3	<u>Uncovered platforms</u> Perehes with or without a foundation and including access stairs and uncovered platforms in the Residential Low RL6 Zone <u>and having a floor height equal to or greater than 3.0 metres measured from grade</u>	Corrects intent (row will be moved down to follow alphabetical order in table), updates current regulation to match inZone recommendation
4.6.2	Delete “and,” from subsection (d)	Editorial revision
4.7	Add “ <u>fully enclosed structure</u> ” to the introductory sentences in subsections (a) and (b) as a permitted form of locating garbage containment.	Clarifies intent (recognizes certain structural arrangements that do not constitute buildings)

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ZBL Section	Amended Provision	Reason for Change
4.8	Revise introductory clause: ...14.0 metres from the <u>lot line abutting the</u> boundary of the highway corridor.	Clarifies intent
4.10 (b)	Any building or structure <u>used</u> for the purpose of...	Updates wording to be consistent with other terms used in By-law
4.11.1 (d)	...or walkway may cross a -required area of landscaping, but that the area that is crossed...	Clarifies intent
4.12.4	Revisions to second paragraph of subsection (a): ...the creation of a lot, <u>or where</u> the construction of a new building or structure, or addition to a building <u>would further increase the extent or degree of non-conformity.</u>	Clarifies intent (relief provided where a road widening is taken as long as the proposed new construction does not increase the degree or extent of LNC)
4.19.1	Reletter current clause as subsection (a), delete “associated with a dwelling” Add the following new subsection (b): <u>Section 4.19.1(a) shall only apply where the right-of-way is located outside of an electricity transmission corridor.</u>	Corrects intent
4.19.4	Delete Trans-Northern Pipeline setback, replace with the following: <u>No additional setback is required from the Trans-Northern Pipeline right-of-way.</u>	Trans-Northern Pipelines has provided updated advice that no additional setback is required at this time
4.25.3	Reletter subsections	Editorial revision
5.1.8	Revise hardscape surface treatment clause: ...interlocking brick, or similar hardscaped surface, <u>or other material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water.</u>	Clarifies intent to allow for environmental surface treatments in parking areas – particularly driveways. Appropriate layout and provision would be reviewed through Site Plan Approval.
5.2.1	Decrease minimum parking rate for repair shop from 1.0 per 22.0 m ² net floor area to: <u>a) 1.0 per 100.0 m² net floor area for the first 7,500.0 m² net floor area; plus,</u> <u>b) 1.0 per 200.0 m² net floor area for any additional net floor area</u>	Matches manufacturing and warehousing rate, which clarifies the intent and application of the use (scale/size)

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ZBL Section	Amended Provision	Reason for Change
5.2.1	Footnote 4 (accessory business office to another permitted use in Employment Zones): In thea) Where a business office is provided accessory to a different main permitted use in the Office Employment E1, Business Employment E2, and Industrial E3 Zones, the parking rate for the main permitted use shall apply to any floor area occupied by a business office provided the business office occupies an area equal to or less than 25% of the total <i>net floor area</i> on the lot. b) The business office ratio shall apply for all <i>net floor area</i> used foroccupied by a business office where the business office occupies greater than 25% of the total <i>net floor area</i> on the lot.	Updates wording to be consistent with current requirements Split into subsections to match other footnotes in the By-law
5.2.2	Subsection (c) of Palermo Village and Uptown Core non-residential uses: ...occupy any net floor area on the net floor area first storey or greater than 60%...	Corrects intent
New 5.3	Switch Sections 5.3 and 5.4, renumber accordingly	Maintains alphabetical order of other parking space requirements
.1(a)	Barrier-free parking spaces shall additionally be required for visitor...	Corrects intent
.2(c)	A barrier-free path of travel 1.75 1.5 metres in width...	Corrects intent
5.5.1	Delete subsection (c) (Locations to be reviewed through Site Plan Approval.)	The updated final draft (v3.1) limited the yard prohibitions to Growth Areas only. However, only legal existing drive-through facilities are permitted in these areas. New facilities will require a zoning by-law amendment and locations can be specified in that approval
5.8.1	New subsection (d), reletter remaining: <u>d) Subsection (c) above shall not apply to visitors parking spaces.</u>	Corrects intent
5.8.2	New subsection (b), reletter remaining: <u>b) Notwithstanding subsection (a) above, the minimum width of a driveway shall be 2.4 metres in a front and interior side yard where a detached private garage is provided in a rear yard.</u>	The regulation is required to recognize some Special Provisions approved where rear yard garages were proposed. Staff recommend incorporating the provision in a parent clause should future private garages be proposed.
5.8.4	Delete subsection (a), reletter accordingly.	Matches current lack of regulation. A zoning setback is not recommended at this time.

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5.8.7	Subsection (c) deletion: ...than the longest -main wall on the first storey that...	Updated wording matches intent of updated definition
5.9	New introductory paragraph: <u>This Section applies to the parking of the applicable vehicles on any lands used for a detached dwelling, semi-detached dwelling, duplex dwelling, linked dwelling, live-work dwelling, townhouse dwelling, back-to-back townhouse dwelling in any Residential, Mixed Use or Environmental Zone.</u> Mentions of “any/a Residential Zone” in Section 5.9 are correspondingly deleted	Clarifies intended scope of the regulations
5.9.2	Delete subsection (a), reletter accordingly.	No regulation required as vehicles are by default permitted to be parked in buildings
New 5.11	Move Section 5.9.3 into new section and revise introductory paragraph: <u>5.11</u> Vehicles Prohibited in Residential <u>and Mixed Use</u> Zones The parking and storage of the following vehicles are prohibited outside of a building on all lots in a Residential <u>and Mixed Use</u> Zone:	Updated wording clarifies intended scope of the regulation
6.2.1	Delete retail store as a permitted use in Residential Uptown Core RUC Zone	Single use residential buildings were built, with additional retail store sites located nearby. Recommend permission be deleted.
6.3.3	Add “(-0)” in maximum lot coverage row, detached dwelling column	Corrects intent, -0 Suffix Zone can apply
6.3.4	Delete Footnote 8	Corrects intent, footnote no longer applies
6.3.9 11.2 SP 27	Maximum height in the Residential High RH, Institutional I, and Community Use CU Zones, plus identified Special Provisions: Legally-The height legally existing on the <u>lot on the</u> effective date of this By-law	Updated wording matches intent of regulation (additional buildings may be permitted, but no additional height is permitted)
6.4.2	Delete “for” in subsection (a) Correct cross reference to read Section 6.5.2(de) of this By-law	Corrects intent and relettering (see Section 6.5.2 row)
6.4.4	Delete subsection (b), reletter accordingly	No maximum flankage yard requirement
6.4.5	Delete “, measured at all points adjacent to the balcony or uncovered platform.”	Is duplicate text of first half of the provision
6.5.2	Reletter subsection (e) as (a), reletter accordingly.	Replaced text clarifies intent and application

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	<p>Revisions to subsection (b) – former (a):</p> <p>b) In a front yard, flankage yard, or interior side yard the minimum yard <u>for an accessory building or structure</u> shall be the same as for the dwelling on the lot.</p> <p>Delete subsection (b).</p> <p>Revisions to subsection (c) – current and proposed:</p> <p>c) In all other portions of a flankage or rear yard, the minimum setback yard from any lot line shall be 0.6 metres provided that the accessory building or structure has a minimum separation distance of 2.0 metres from the dwelling.</p> <p>Insert new subsection (d), reletter accordingly:</p> <p><u>d) Notwithstanding subsection (a) above, an accessory building or structure shall have a maximum height of 2.5 metres, measured from grade, in the following locations:</u></p> <p><u>i) A flankage yard; or,</u></p> <p><u>ii) That portion of a rear yard defined by a distance equal to the minimum flankage yard required for the dwelling in the applicable zone from the flankage lot line.</u></p> <p>Relletter subsection (d) as subsection (e).</p>	<p>of the setbacks in the rear yard</p> <p>Upon further final consultation, staff recommend including additional relief within a flankage yard. Where a lot is large enough or a house set back far enough from the lot line to accommodate the separation distance from the dwelling, small sheds can be accommodated within the remaining space.</p>
6.5	Add “ <u>and Storeys</u> ” at the end of the heading	Clarifies intent
6.6	Replace all mentions of “building” with “dwellings”	Clarifies intent
7.2 13.2 14.2	All “legal uses of land, buildings, and structures” permission rows: Legal uses of land, buildings, and structures existing <u>on the lot</u> as of the effective date of this By-law	Updates wording to be consistent with other terms used in By-law
8.2	In Footnote 2(a), remove the (a) and insert following words: Only permitted only on a lot where the use legally existed <u>on the lot</u> on the effective date of this By-law.	Updates wording to be consistent with other terms used in By-law
8.2 8.3.2	Delete footnote 2(b), reletter accordingly so only one clause exists Add new row with same regulation for the three dwelling types: <u>Regulations for accessory buildings and structures: Section 6.5 shall apply</u>	Clarifies intent and application
8.3.1	Add “ <u>.1</u> ” into table title	Corrects intent

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8.3.1	Revise Footnote 2: The minimum and maximum front <u>and flankage</u> yard shall be...	Corrects intent
8.3.1	Current Footnote 6 becomes subsection (a) of Footnote 6 and add new subsection (b): <u>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.</u>	Upon further final consultation, the additional height is recommended to be reduced in these edges locations where additional height transition regulations are proposed. 3.0 metres is the contemporary construction practice for access stair towers. Other siting and location issues will be evaluated at the Site Plan approval stage.
8.3.2	Decrease detached dwelling lot coverage from 40% to 35%	Corrects intent, the additional lot coverage is permitted in Section 6.5 (accessory buildings)
8.4	<u>“Location of Functional Servicing”</u>	Updated heading clarifies intent
8.9	Revised clause: ...is used for storage associated with any <u>accessory to a permitted</u> use on <u>within</u> the same lot <u>building</u> .	Clarifies intent (storage is accessory to the main permitted use)
9.2	Additionally permit motor vehicle washing facilities and motor vehicle service stations as-of-right in the Core Commercial C3 Zone.	Were originally permitted in the first draft (v1.0), deleted when lands were all proposed to be zoned Service Station C4 in second draft (v2.0). Staff recommend restoring the permission, which does conform to the Livable Oakville Plan
9.3	Delete “the largest building” from the “Maximum percentage of net floor area” row	Clarifies intent
10.2	Revised Footnote 1: ...shall not exceed <u>a maximum of</u> 25% of the net floor area on the lot.	Clarifies intent
10.2	Revised Footnote 2: permitted only on a lot where the use legally existed <u>on the lot</u> on the effective date of this By-law.	Updates wording to be consistent with other terms used in By-law

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10.2 SP 3	Revised E4 Footnote 14 (former 15, see row below) and SP 3 Footnote 3: <u>An outside display and sales area is additionally permitted as an accessory use.</u> Inventory in an outdoor-outside display and sales area...	Clarifies application
10.2 10.6	Delete Footnote 13 and renumber accordingly Revised general provision to apply same regulations to heavy vehicle parking area: 10.6 Outside Processing, and Outside Storage, <u>and Heavy Vehicle Parking Areas</u> Where outside processing and , outside storage is , <u>and a heavy vehicle parking area are</u> permitted, the following regulations apply: a) Outside processing and outside storage is <u>The uses are</u> permitted only in an interior side yard or rear yard and shall be set back 5.03.5 metres from any lot line. b) The maximum area coverage for outside processing and outside storage on a lot shall be...: c) Outside processing and outside storage is <u>The uses are</u> not permitted within any yard abutting a Residential, Institutional I, or Community Use CU Zone boundary. d) Notwithstanding subsections (a) and (b) above, outside processing and outside storage is the uses are permitted in any yard on a lot used for the manufacturing of motor vehicles greater than 100.0 hectares in lot area. f e) Storage of damaged, impounded, or inoperable motor vehicles is prohibited as part of outside storage except in conjunction with a motor vehicle storage compound or salvage yard. e f) Notwithstanding subsection (a), outside storage where the uses having materials stored that are cumulatively greater than 1.8 metres in height shall only be located in a rear yard or in between two buildings on a the same lot. <u>g) The maximum height of materials stored on any lot in a Business Employment E2 Zone entirely located further than 100.0 metres from the railway corridor shall be equal to the height of the largest building on the lot.</u>	On further review, applying the same coverage and setback requirements for outside storage/processing to a heavy vehicle parking area is appropriate and recommended at this time Reduction in setback to 3.5 metres matches reduced landscaping/yard widths in the zone, while maintaining an addition 0.5 metre allowance for screening (i.e. fence). To be reviewed at Site Plan Approval Other revisions clarify intent and application of the regulations Subsections (e) and (f) are reversed in order, and a new subsection (g) recommended to reduce the maximum height of materials stored further from the railway corridor
11.2	Replace Footnote 1: Permitted only where the use legally existed on the lot on the effective date of this By-law.	Updates wording to be consistent with other terms used in By-law

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ZBL Section	Amended Provision	Reason for Change
11.2	Split Footnote 2 into a subsection (a) and (b)	To be consistent with other footnotes
13.2	Revised Footnotes 1 and 2: Legal uses existing <u>on the lot</u> on...	Updates wording to be consistent with other terms used in By-law
15	Numerous revisions to headings or introductory paragraphs as required, including: <ul style="list-style-type: none"> - Adding “for All Lands” and “to all lands subject to this Special Provision” to a number of sections where Block regulations are contained. - Deleting “for All Lands” and “to all lands subject to this Special Provision” where Block regulations are not contained. - Adding “on the lot” where appropriate to recognize lots where rebuilding would be permitted (per Section 7.2, 13.2, 14.2 additions above). - Correcting section numbering and subsection lettering. - Revising section headings and introductory paragraphs as required. - Pluralizing or singularizing language (terms, verbs). - Correcting typographical errors (words, symbols, and punctuation). - Correcting a number of incorrect terms in the Special Provisions that were updated in previous drafts of the By-law but missed in the Special Provisions (surrounding grade becomes grade, personal service establishment becomes service commercial establishment, property line becomes lot line, units becomes dwelling units as appropriate, will becomes shall, administrative office becomes business office). - Deleting references to buffer strips being inclusive of landscaping coverage (matches Section 4.11 general provision) 	Clarify intent and application; updates wording to be consistent with other terms used in By-law (revisions missed during production of v3.1)
SP 1	Add minimum front yard requirement matching -0 Suffix treatment: <u>c) Minimum front yard: The yard legally existing on the effective date of this By-law, less 1.0 metre</u>	Front yard reduction exists in some of the current Special Provisions. Staff recommend applying the regulation across all lots to harmonize approach
SP 37 SP 38 SP 41	Correction section numbering, minimum/maximum labelling issues, and table references (per C. Williams letter to Council, February 20, 2014)	Corrects intent (errors in v3.1)

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ZBL Section	Amended Provision	Reason for Change
SP 43	Add new Sections 15.43.2(c) (current gap filled) and Section 15.43.3(f): <u>2.c) Maximum front and flankage yard: Shall not apply</u> <u>3.f) For any lot abutting Winston Churchill Boulevard, Section 5.6(d) related to loading space locations shall not apply.</u>	Corrects intent that new maximum flankage yard regulation was not to apply in Winston Park, and recognizes multiple through corner lot conditions with interpretation issues related to loading spaces.
SP 48	Delete “residential” from Section 15.48.2(b), add new 15.48.2(c) as follows: <u>(c) Minimum yard, all yards: As legally existing on the lot on the effective date of this By-law</u>	Corrects intent
SP 68	Increase maximum height of theatre screen to 22.5 metres	Corrects height adjustment due to changing calculation
SP 69	Change property lines to “yards”, delete duplicated “separation”, delete “dwellings for”	All revisions correct intent
SP 109	Reletter subsection 15.109.2(a) as 15.109.1(i), delete rest of Section 15.109	Clarifies intent
SP 115	Change Section 15.115.1(a) to read “Minimum interior side yard”	Clarifies intent
SP 155	Split height and storey regulations into two regulations	Clarifies intent
SP 197	Delete “, but only on lands in the Service Station C4 Zone”, add motor vehicle washing facility and motor vehicle service stations as additionally permitted uses, limit 30.0 metre setback in Section 15.192.2(f) to subsections (a), (b), and (c) only	Recognizes additional existing uses missed in v3.0 recommendation
SP 202	Delete Section 15.202.1(b)	Duplicate clause
SP 225	Replace 15.225.1 additional permitted uses with “live-work dwelling”	Clarifies intent
SP 259	Revise Section 15.259.3: Subsections 15.291.1(c) and (e) and (f) shall not apply to Block 2.	Corrects intent
SP 261	Expand Block 1 in Special Figure 15.261.1 to match the zone’s extent on Map 19(8)	Corrects intent
SP 262	Delete “to all lands identified as Block 1 on Figure 15.262.1” from introductory paragraph of Section 15.262.1 Add a new Section 15.262.1(a), reletter accordingly: <u>a) Section 5.10, relating to surface parking area setbacks, shall not apply in a rear or interior side yard.</u>	Corrects intent

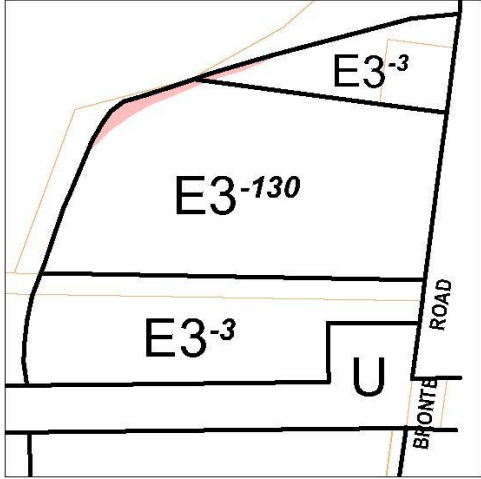
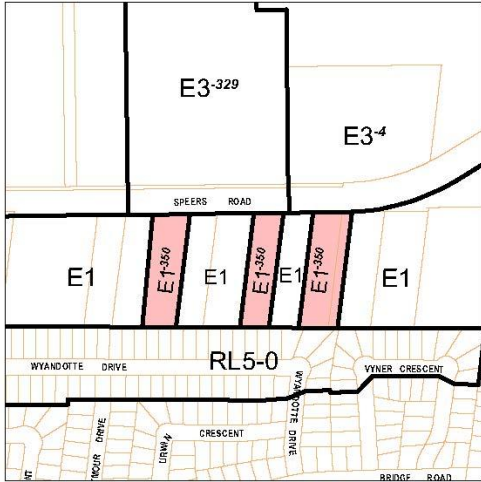
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SP 275	Restore visitor parking space requirements	Updates wording to be consistent with other approaches used in By-law
SP 292	Delete Sections 15.292.1 and Section 15.292.2(c) and renumber/reletter accordingly	Use can be deleted as semi-detached dwellings are permitted in the parent zone. Upon further review, staff recommend extending this zone to the property to the east to recognize the existing use and evolving built form along this stretch of Lakeshore Rd.
SP 311	<p>Replace Section 15.310.1(a) with “<u>live-work dwellings</u>” as townhouse dwellings can be interpreted to be apartment dwellings</p> <p>Replace Section 15.310.2(a) with modified residential use prohibition: <u>Apartment dwellings and ancillary residential uses are prohibited within the first 8.5 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, for a maximum of 50% of the width of all buildings located within 8.5 metres of the front lot line.</u></p> <p>Include surface parking area in landscaping reduction, Section 15.310.2(q)</p> <p>Recognize approved reduced rear yards, Sections 15.310.2(g) and (h)</p> <p>Revise Section 15.310.2(d), current (h), to set 50.0 square metres as the minimum non-residential floor area component for the live-work dwelling.</p> <p>Split current 15.310.2(i) into two subsections to recognize existing different allowable projection regulations</p> <p>Include new Section 15.310.3(c) setting minimum number of barrier-free parking spaces as 2, matching current permission.</p> <p>Include new Section 15.310.3(d) recognizing existing zero minimum parking space requirement for the non-residential component of a live-work dwelling</p> <p>Restore modified definition of height, Section 15.310.4(b)</p>	A number of new regulations and use interpretations planned conflict with the existing approval. Other Special Provisions were caught and updated, but this approval was missed. The revisions at left resolve all interpretive issues.
SP 326	Minimum setback from minimum -yard along <u>any lot line abutting</u> Kerr Street and Rebecca Street	Clarifies intent, deletes duplicate terms
SP 328	Add new Section 15.328.2(a), reletter accordingly: <u>a) Minimum number of barrier-free parking spaces: 4</u>	Resolves interpretive issue associated with new regulations.

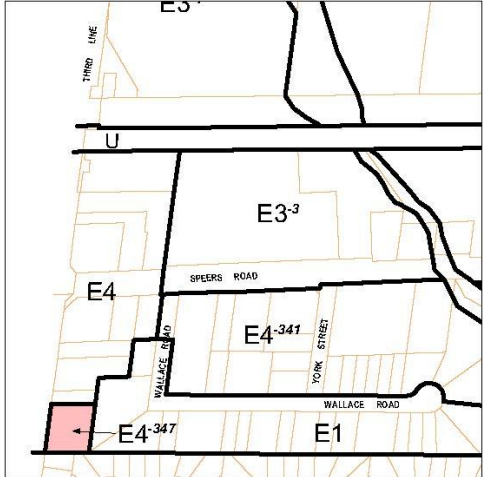
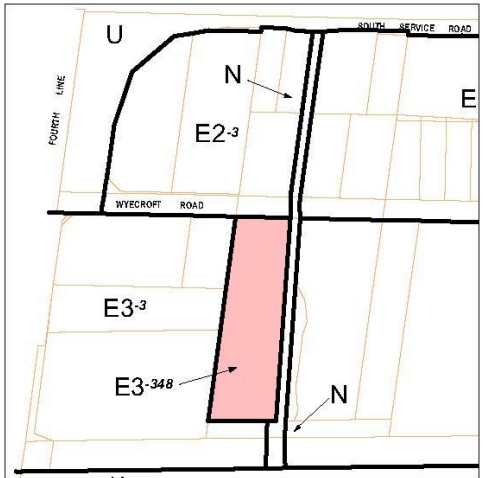
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SP 332	Move Section 15.332.3(a) to Section 15.332.1(a), can delete rest of Section 15.332.3	Reorganization is consistent with other SPs
SP 338	Replace “Footnote 6 to Table 10.2” with “Section 10.6(b)”	Corrects application
<p>A number of new Special Provisions are recommended to be included in the 2014 Zoning By-law, each based upon further review of various issues as described in the following paragraphs. Copies are attached to this memorandum:</p> <p>346. [Reserved for proposed March P&D ZBLA.]</p> <p>347. 587 Third Line: to carry forward a current Special Provision for a drive-through facility. A revision in the updated final draft (v3.1) should have included carrying forward this Special Provision. The use is permitted in the Livable Oakville Plan.</p> <p>348. 480 Wyecroft Road: technical Special Provision to recognize existing permission associated with the former Oakville Transit facility. The Special Provision limits the amount of front yard that can be used for a heavy vehicle parking area.</p> <p>349. 174 Lakeshore Road West and 91 Brookfield Road: upon further review, this current Special Provision was omitted by error in all previous drafts. The Special Provision needs to be carried forward in the 2014 Zoning By-law.</p> <p>350. 2220, 2240, and 2270 Speers Road: the three lots are not contiguous but do function as one site. For the purposes of interpreting the Footnote 2 limitation on light industrial uses in the Office Employment E1 Zone, staff recommend a Special Provision recognizing these three lots to be one lot for the purpose of determining compliance with the regulation.</p> <p>351. Carries forward recently passed ZBLA 2014-007 (McCraney Street secondary schools).</p>		
H7	<p>From Section 16.3.7.1, delete “, except for a food store”</p> <p>From Section 16.3.7.2: Maximum <u>total</u> net floor area for all retail stores, drug stores, and food stores : <u>2,5004,000</u> sq.m</p> <p>From Section 16.3.7.3: A traffic impact study and functional servicing report are prepared demonstrating that adequate servicing infrastructure and road capacity are available to accommodate the additional <u>retail store net</u> floor area permitted in the Business Commercial E4-SP-282 Zone prior to the construction of the Iroquois Shore Road extension abutting the lot.</p>	<p>Harmonizes terminology used in SP 282</p> <p>Upon further review, staff recommend increasing the cap where road improvements or study is required to 4,000 sq.m.</p> <p>A functional servicing report will be required as part of a Site Plan Approval. Its inclusion in the Holding Provision is a duplicate requirement and not necessary</p>
<p>One new Holding Provision is recommended to be included in the 2014 Zoning By-law. A copy is attached to this memorandum:</p> <p>H26. (Reserved for proposed March P&D ZBLA)</p> <p>H27. Carries forward recently passed ZBLA 2014-007 (McCraney Street secondary schools)</p>		

Memo

ZBL Section	Amended Provision	Reason for Change
19(4)	 <p>The map shows a residential lot with a large area labeled E3-130 and a smaller area labeled E3-3. A boundary line is shown between them, with a red shaded area indicating the proposed change. The lot is bounded by Bronte Road to the east and another road to the south. A 'U' is marked on the southern boundary.</p>	<p>Corrects intent (zone boundary was to follow boundary between trees and developed area)</p>
19(5)	 <p>The map shows a residential street layout. A row of lots is shown, with the central ones labeled E1-350 and the outer ones labeled E1. The street is Speers Road. Below this row is Wyandotte Drive, labeled RL5-0. Other streets shown include Wyner Crescent, Crescent, and Bridge Road.</p>	<p>Gives effect to proposed SP 350</p>

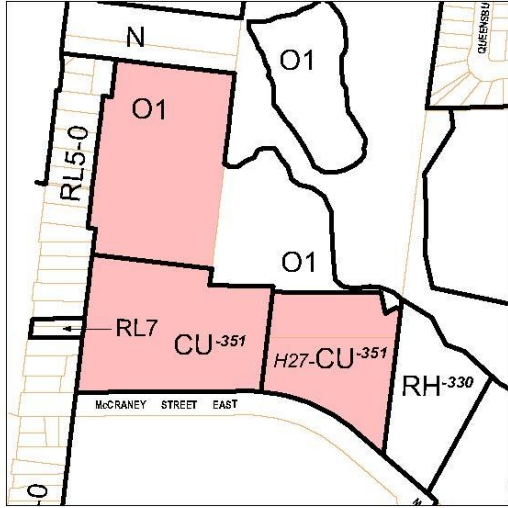
Memo

ZBL Section	Amended Provision	Reason for Change
19(6)		Gives effect to proposed SP 347
19(7)		Gives effect to proposed SP 348

Memo

ZBL Section	Amended Provision	Reason for Change
19(7a)		<p>Gives effect to proposed SP 349</p> <p>Corrects application of SP and parent zone</p>
19(8)		<p>Gives effect to proposed extension of SP 292 to the adjacent Lakeshore Road East property.</p> <p>Places Oakville Club lands into zone with similar type facilities (i.e. St. Volodymyr's, Glen Abbey).</p>

Memo

ZBL Section	Amended Provision	Reason for Change
19(15)		Gives effect to ZBLA 2014-007 and SP 351

Joe Nethery, MCIP RPP
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