Zoning and Design Guidelines in Residential Areas
Presentation Overview

1. Purpose of the Open House
2. Required Building Approvals
3. What is a Zoning By-law?
4. What a Zoning By-law Regulates
5. Current Issues in Residential Neighbourhoods
6. Example of a Residential Zoning Issue
7. Next Steps
8. What are Design Guidelines?
9. For what Types of Dwellings do the Guidelines Apply?
10. Who Uses the Guidelines and When?
11. Document Contents
12. Next Steps
Purpose of the Open House

• To demonstrate how *Zoning* and *Urban Design* work together, to guide development of homes in residential neighbourhoods.

• To illustrate key issues that are being addressed in the new Zoning By-law and Design Guidelines for Residential Neighbourhoods.

• To solicit your feedback on these issues.
Required Building Approvals

• A building permit is required when building a new home or when renovating or adding to a home.

• Only issued by the Town if a proposed new home or modification to an existing home complies with Ontario Building Code.
  • Includes zoning compliance

• Other applicable approvals:
  • Site Plan Control (limited scope)
  • Minor Variances
  • Conservation Authority permit (limited scope)
  • Heritage Permit (limited scope)
  • Lot Grading and Drainage Approval
Low Density Residential Zoning in Oakville
What a Zoning By-law Regulates

Items zoning regulate comes directly from the Planning Act (Section 34):

- Where buildings and structures can be located on a lot.
- Amount of buildable area on a lot.
- What types of uses are permitted and how they can be used.
- Lot sizes, building sizes, yard requirements, parking requirements, among others.
What a Zoning By-law does not Regulate

A Zoning By-law cannot regulate items like:

- Internal configuration of space within buildings.
- Architectural elements such as external building materials and styles.
- Site specific elements such as privacy, landscaping and integration with neighbouring buildings.
- How a building appears from the street.

These items are best addressed through other means such as Design Guidelines or Site Plan Approvals.
Current Zoning By-laws in Oakville

North Oakville Zoning By-law

(Schedule “A” to By-law 2009-189)

Office Consolidation
November 1, 2011
(In force except as noted)

Approved by Council on November 23, 2009 and amended by:

Ontario Municipal Board Orders in appeal of By-law 2009-189 (OMS File #PL100049) issued April 15, 2010, July 14, 2010, and October 25, 2010. As of the date of this consolidation, limited sections of this by-law are still subject to appeal as noted.

By-law 2009-041
Oakville Energy Services Inc.
April 12, 2010

By-law 2009-080
Dundas Community Development
March 2, 2010

By-law 2009-075
Community Services, Oshawa Council
Child Care Services
April 12, 2010

By-law 2009-141
Regional Pump Station - Dundas Street
September 27, 2009

By-law 2009-153
Regional Power Lines
September 27, 2009

By-law 2009-171
Trees & Arterials
December 12, 2009

By-law 2011-006
Residential Hospital and District Power Facility
January 24, 2011

By-law 2011-073
Regional Wastewater Lines
July 13, 2011

The following amendments have been approved by Council and are subject to appeal to the Ontario Municipal Board:

By-law 2010-084
North Oshawa - Memorial Gardens (OMS File #PL100303)
April 12, 2010

Town of Oakville
Oakville’s Zoning By-Law

Current Zoning By-laws in Oakville

OAKVILLE
Office Consolidation
Zoning By-Law 1984-63

This edition is prepared for purposes of convenience only. For precise reference please consult the Planning Department.

Note:
Passed by Council on November 22, 1984
O.M.B. Approved on August 1, 1985
Updated as of November 25th, 2011
Current Issues in Residential Neighbourhoods

A number of issues come up when addressing the following items normally regulated through zoning:

- Building Size and Lot Coverage
- Height
- Accessory Buildings (sheds, garages, gazebos etc.)
- Front Yards
- Accessory Uses (Home Office, Bed and Breakfast etc.)

The display panels summarize key issues relating to the above items along with potential ways to address those issues.
Example of a Residential Zoning Issue

Item: *Building Heights*

- **Measured from:** *Established Grade*.

*Established Grade* is measured at the centre point of the *front lot line*, for this interior lot.
Example of a Residential Zoning Issue

Item: *Building Heights*

- **Measured to:** R1-R8 zones regulate “*Building Height*”, while R10-R13 and R0 (infill) zones regulate “*Overall Height*”.

It is assumed that this lot is on level ground (i.e. *Established Grade* is the same everywhere on the lot).
## Next Steps

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
</tr>
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<tbody>
<tr>
<td>December 3, 2012</td>
<td>Technical Paper on Residential Zones presented to inZone Committee</td>
</tr>
<tr>
<td>February-March 2013</td>
<td>Draft Zoning By-law presented to inZone Committee (for comment only)</td>
</tr>
<tr>
<td>April-May 2013</td>
<td>Draft ZBL to Planning and Development Council (to authorize open houses)</td>
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<td>May-June 2013</td>
<td>First round of public open houses</td>
</tr>
<tr>
<td>Spring 2014</td>
<td>Final ZBL to Planning and Development Council for adoption</td>
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Design Guidelines for Stable Residential Neighbourhoods
What are design guidelines?

design-based direction, through text and illustrations, for proposed small-scale changes in a neighbourhood.

What they can do … provide guidance
– describe how to achieve a desired end result
– make decision-making more predictable
– an assessment tool for ‘compatible fit’

What they cannot do … regulate the proposal
– not mandatory and not enforceable
Policy Implementation
Where do the guidelines apply?
For what types of development do the guidelines apply?

- a new dwelling on a vacant lot or newly-created lot
- a new dwelling to replace an existing dwelling
- an addition to an existing dwelling
When are the guidelines used?

**Mandatory:**

- Committee of Adjustment applications
  - variances and severances [creating a new lot(s)]
- Site Plan applications
  - only those considered ‘development’ as defined by the *Planning Act*

**Encouraged:**

- when designing any low-density residential project [to ensure compatibility with the neighbourhood]
Who will use the guidelines?

those proposing a new dwelling
  **Who**: property owner, homebuilder, design consultant

those evaluating the proposed dwelling
  **Who**: Town of Oakville staff and Committee Members

those residing in the neighbourhood
  **Who**: neighbourhood residents
Neighbourhood Context

- Character
- Lot pattern
- Scale
- Priority Lots
- Front Yards
- Rear Yards
Design Guidelines for Residential Neighbourhoods

Architectural Context

Height
Massing
Setbacks
Primary Facade
Design Guidelines for Residential Neighbourhoods

Architectural Context

Architectural Elements
Attached Garages
Accessory Structures
Service Elements

Create it! Vision 2057
Site Development Context

- Landscaping
- Tree Preservation
- Driveways
- Grading
Heritage Resource Context

Additions to Listed Heritage Resources

Adjacent to Heritage Resources
3.2 Mass/Height

3.2.1 Construct at both a residential scale as well as a scale, mass and proportion that contributes to the quality of the streetscape.

3.2.2 In cases where new buildings back on to low-scale residential properties or public open space, set the building back so that it does not project into a 45 degree angular plane from the rear property line, in order to reduce the impact of potential loss of sunlight or privacy on neighbouring properties. (A 45 degree angular plane is measured from a rear lot line and projects at a 45 degree angle toward the development.) For larger infill development, design within an appropriate angular plane, and provide a suitable buffer zone in order to protect a neighbour’s right to adequate light, view and privacy.

Figure 18: The stacked townhouses on the left are larger in scale than the adjacent properties, but through the use of quality materials and design, they contribute to create a positive streetscape.

Figure 19: Building within angular planes from this rear lane protects existing neighbour’s back yard privacy and access to sunlight.

Figure 20: This infill project steps down to respect lower neighbourhood character.
Design Guidelines for Residential Neighbourhoods

Consultation

**internal interviews**
Town departments (input in residential development)

**external interviews**
- staff counterparts in other municipalities
- staff in agencies (input in residential development)

**open house**
residential property owners and public

**workshop**
homebuilder association(s) + independent builders architects and consultants
Design Guidelines for Residential Neighbourhoods

Next Steps

- **December 3, 2012**
  - draft document to the inZone Committee
  - draft document available for public review

- **January 31, 2013**
  - consultation and review period closes
  - staff will finalizing design document

- **March 2013**
  - final document + study presented to inZone Committee and Council for endorsement

- **April 2013**
  - commence implementation of the design document