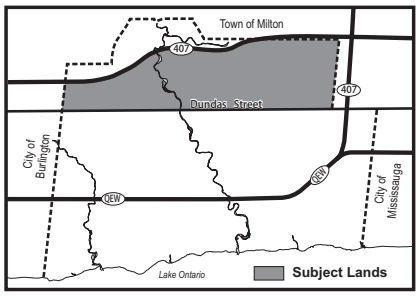
Administration

1.1 Short Title

i. This By-law may be cited as the "North Oakville Zoning By-law".
ii. References to the "Zoning By-law" or "By-law 1984-63" in other by-laws or documents shall be deemed to include a reference to the North Oakville Zoning By-law, unless the context requires otherwise.

1.2 Application

This By-law applies to all the lands in the Town of Oakville bounded by the south limit of Highway 407, the boundary with the Town of Milton, the midpoint of Ninth Line road allowance, the midpoint of the Dundas Street *street* allowance and the midpoint of the Tremaine Road *street* allowance and excludes lands north of Highway 407.



This By-law applies to all lands north of Dundas Street and south of Highway 407.

1.3 Repeal of Former By-Laws

The provisions of By-law 1984-63 of the Town of Oakville, and amendments thereto, are hereby repealed insofar as they affect the lands covered by this By-law.

1.4 Administration

This By-law shall be administered by the person designated as the Zoning Administrator.

1.5 Clarifications and Convenience *(2013-065)*

a) Examples, margin notes, and illustrations are for the purpose of explanation, clarification and convenience and do not form part of this By-law.

b) Any numbers in parentheses following any item in any Table indicates that one or more additional regulations apply to the use, *Zone*, or standard indicated. These additional regulations are listed below the applicable Table.

Examples of where these are found include after a "•" in a permitted use table, after a use or building standard term, and after a standard itself.

c) Any geographic, biographic, referential, or identifying information and any list of Amending By-laws contained in Sections 8, 9, 10 and 11 of this By-law is provided for the purpose of clarification and convenience and does not form part of this By-law.

d) The following character styles are provided for the purpose of convenience. Its usage or omission shall not be considered an interpretive statement by the Town:

   i) Terms that are defined in Section 3 of this By-law have been italicized.

   ii) Titles of Federal or Provincial legislation have been underlined.

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e) Where a defined term listed in Section 3 of this By-law is reversed anywhere in this By-law, it is done for the ease and convenience of locating and identifying the definition with other like definitions. Such an inversion or lack thereof shall not be considered an interpretive statement by the Town.

As an example, "private school" and "school, private".

f) Any reference to legislation or regulations or sections thereof approved by another public authority shall be interpreted to include any amendments to or successions thereof.

1.6 Certificates of Occupancy

i. Subject to subsection 1.6 (ii), no person shall make any change in the type of *use* of any land covered by this by-law or of any *building* or *structure* on such land without first obtaining a certificate of occupancy.

The requirements of this By-law must be met before a building permit is issued for the erection of, addition to, or alteration of any building or structure..

ii. Certificates of occupancy shall not be required for changes to *residential uses*, other than *group homes, home occupations, bed and breakfast establishments, short-term accommodation, single detached dwelling* with 3 or less *lodgers* and the introduction of an *attached* or *detached additional residental unit*. *(2018-038) (2022-007) (2023-025) (2024-112)*

iii. No certificate of occupancy shall be refused if the proposed *use* is not prohibited by the By-law.

1.7 Prohibitions

i. No person shall use any land, *building* or *structure* or erect or alter any *building* or *structure* after the passage of this By-law, except in conformity and compliance with the provisions of this By-law.

ii. No person, other than a *public authority*, shall reduce any *lot* by conveyance or otherwise so that it does not meet the requirements of this By-law or, if it did not meet the requirements initially, so that it is further from meeting them. *(2012-001)*

iii. No *buildings* or *structures* may be erected, used or occupied unless:

a. Connection to the municipal water and wastewater systems has been approved by Halton Region where such services are required by the Ontario Building Code;

b. The *street* standard of base course asphalt is provided on any *street* adjacent to the *frontage* of the *lot*; or,

c. Any necessary *stormwater management facilities* are constructed and operational to service the *lot.*

1.8 Need for Compliance and Permission

Nothing in this By-law shall exempt any person from complying with the requirements of any other legislation or by-law in force or from obtaining any license, permission, permit, authority or approval required by this By-law, any other by-law or any other legislation.

Without limiting its generality, Section 1.8 includes the Building Code (Ontario Regulation 350106), and the permitting procedures of Conservation Halton (Ontario Regulation 162/06).

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1.9 Penalties

Every person who contravenes a provision of this By-law and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention, is guilty of an offence and on conviction is liable to fines under the Planning Act.

1.10 Severability

A decision of a Court that one or more of the provisions of this By-law or any portion of the Zoning Maps to this By-law, are invalid, in whole or in part, does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this By-law.

1.11 Interpretation of Words

Words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular and the word "used" includes "intended to be used"; the word "shall" is mandatory, not permissive; and words used in the male gender shall include all genders. *(2022-007)*

1.12 Construction Tolerance

Where a building permit has been lawfully issued and has not been revoked for the construction of a *building* or *structure* and where the *height* or *yard* requirement for said as-built *building* or *structure* is found to be in contravention with the maximum *height* or *minimum yard* by no more than 0.03 metres, the non-compliant *height* or *yard* shall be deem to comply with the *height* or *yard* requirement of this By-law. *(2022-007)*