

REPORT

Commissioners Delegated Authority Meeting

Meeting Date: April 4, 2023

FROM: Planning Services Department and Building Services Department

DATE: March 21, 2023

SUBJECT: Town-initiated Omnibus Zoning By-law Amendment to South Oakville Zoning By-law 2014-014 (File No. 42.25.21) - All lands south of Dundas Street and north of Highway 407 - By-law 2023-024

LOCATION: All lands south of Dundas Street and north of Highway 407

WARD: Town-wide

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RECOMMENDATION:

1. That the comments from the public with respect to the Omnibus Zoning By-law Amendment, File No. 42.25.21, be received;
2. That By-law 2023-024, a by-law to make housekeeping, technical and other modifications to Zoning By-law 2014-014, as amended (Omnibus Zoning By-law Amendment, File No. 42.25.21), be passed; and
3. That notice of the Commissioner's decision reflect that the Commissioner of Community Development has fully considered all written and oral submissions related to this matter and that these comments have been appropriately addressed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- Town-initiated amendments to Zoning By-law 2014-014, as amended (the "**Zoning By-law**") are part of an ongoing initiative to primarily make technical and administrative improvements to the Zoning By-law and introduce conformity with recent amendments to the *Planning Act* implemented by Bill 23. The proposed amendments were prepared to:
 - address several issues identified by Staff through the ongoing use of the Zoning By-laws;

- rename “Existing Development” zones to “Future Development” to reflect the intention of the zone;
 - introduce up to two accessory dwelling units on a lot with a maximum of one of those units being located in an accessory building to conform with recent amendments to the *Planning Act* implemented by Bill 23; and
 - introduce exceptions for rooftop solar panels since the Green Energy Act, which previously exempted solar panels, has been repealed.
- The matters addressed are wide-ranging from correcting and clarifying existing wording, updating definitions, and adding definitions and provisions. Not all zones will be impacted by the proposed amendment.

BACKGROUND:

Zoning By-law 2014-014, as amended, applies to the lands south of Dundas Street and north of Highway 407. It was passed by Council on February 25, 2014, and partially deemed in force by the Ontario Municipal Board on February 23, 2015. Since then, the majority of the By-law have been deemed in force by the Board. Certain sections of the by-law are not yet in force and outstanding appeals continue to be adjudicated (OMB File No. PL140317).

Bill 23, More Homes Built Faster Act, 2022 was passed by the provincial government and received Royal Assent on November 28, 2022. The Bill introduced amendments to the *Planning Act*, among others, that have the effect of allowing up to two accessory dwelling units (total of three residential units including the primary unit) on a parcel of urban residential land. Of the two accessory dwelling units a maximum of one accessory dwelling unit is permitted to be located in a building or structure accessory to a detached house, semi-detached house or rowhouse.

Proposal

Through the ongoing use and interpretation of the Zoning By-law, staff from the Building Services and Planning Services departments have identified several issues and areas for clarification. Additionally, updates to the Zoning By-law are required to conform with recent amendments to the *Planning Act* related to accessory dwelling units which were implemented by Bill 23. In response, draft amendments to the Zoning By-law were prepared and circulated to various town departments and public agencies for review.

The matters addressed by the proposed amendments are wide-ranging – from correcting and clarifying existing wording, to adding new definitions and provisions, as detailed below. Not all zones will be impacted by the proposed amendments. If the amendments are approved, various side notes throughout the document will be

updated administratively since, as provided in Section 1.9 of the Zoning By-law, these notes do not form part of the by-law.

Location & Site Description

Zoning By-law 2014-014, as amended, applies to all lands south of Dundas Street and north of Highway 407, which is indicated in Figure 1 below. All lands subject to Zoning By-law 2014-014, as amended, are affected by the proposed amendments to the text of the By-law. A number of individual sites are also affected by the proposed amendment through amended or additional site-specific regulations.

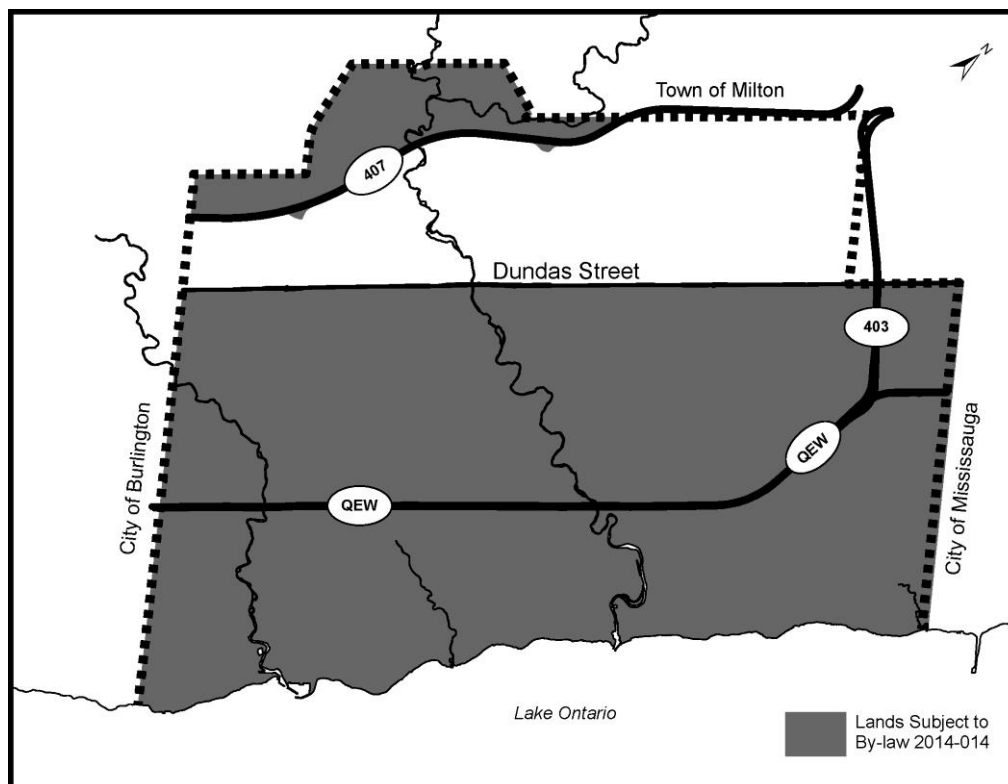


Figure 1: Key Map

TECHNICAL & PUBLIC COMMENTS:

Notice for the meeting regarding these amendments was published in the Oakville Beaver on March 9, 2023. Since that date, the Draft By-law has been available for review digitally through the Planning Services and Building Services Department Staff. No public comments have been received as of the date of this report. The Notice and Draft By-law was also circulated to staff and agencies for comment and

all comments received are attached in Appendix B. No objections or concerns were received as of the date of this report.

POLICY FRAMEWORK:

Provincial Policy Statement

The Provincial Policy Statement (2020) (PPS), which came into effect on May 1, 2020, is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

Municipal official plans are considered the most important document for implementation of the PPS and for achieving comprehensive, integrated and long-term planning. Official plans identify provincial interests and set out appropriate land use designations and policies. Zoning by-laws are also important for implementation of the PPS. Planning authorities are directed to keep their zoning by-laws up-to-date with their official plans and the PPS. This housekeeping amendment implements this mandate to keep the zoning by-law up to date and consistent with the PPS and in conformity with the Official Plan.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan (2020) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services and public service facilities, and provide a diverse range and mix of housing options.

The policies of the Growth Plan are implemented through the Official Plan and Zoning By-law. This housekeeping amendment conforms with the Growth Plan as it provides clarity to the Zoning By-law which is a tool to implement the Growth Plan.

Region of Halton Official Plan

The lands subject to the Zoning By-law are within the 2009 Regional Official Plan (ROP) and must conform with the policies of the ROP. The housekeeping amendments continue to comply with the policies of the ROP.

Livable Oakville Plan

In accordance with Section 28.1.1 of the Livable Oakville Plan, Zoning By-laws shall be used to implement the objectives and policies of the Plan by regulating the use of land, buildings or structures in accordance with the provisions of the *Planning Act*. This will ensure that the Town can achieve its mission statement and guiding principles. Regular updates and modifications to the Zoning By-law such as this housekeeping amendment, maintain the integrity of the document and enable it to be implemented with improvements being made on a continual basis.

Recent amendments to the *Planning Act* brought about by Bill 23, More Homes Built Faster Act, 2022 make it clear through sections 16 (3)-(3.3) of the *Planning Act*, that no official plan may contain any policy that prohibits up to two accessory dwelling units (total of three residential units including the primary unit) in a detached house, semi-detached house or rowhouse (townhouse) on a parcel of urban residential land and of the two accessory dwelling units a maximum of one accessory dwelling unit is permitted to be located in an accessory building or structure. Staff have interpreted that updates to the Zoning By-law to allow for amendments to bring about conformity with the Provincial mandate may occur despite any potential conflict with the Official Plan. The Official Plan will be brought into conformity with Bill 23, More Homes Built Faster Act, 2022 through a future amendment to the official plan as part of the Town's official plan review.

PURPOSE:

The purpose of this proposed omnibus amendment to Town of Oakville Zoning By-law is to make a number of housekeeping, technical and other modifications affecting all zones, which would assist in the use and interpretation of the Zoning By-law and the implementation of the Official Plan. The proposed amendments generally add clarity to the Zoning By-law, increase consistency with Zoning By-law 2009-189, bring about conformity with the *Planning Act*, and introduce exceptions for rooftop solar panels.

ANALYSIS:

The following chart details the specific changes that are proposed through the omnibus amendment to Zoning By-law 2014-014, as amended and the reasons for those changes.

Proposed Change	Rationale
Part 1, <u>Administration</u> , would be amended by:	
1. modifying Section 1.4 d) by adding “unit” after “accessory dwelling”	<ul style="list-style-type: none"> - “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to have consistent language between the North and South Zoning By-laws - The regulations related to and all reference to accessory dwellings is proposed to be updated to bring about conformity with recent changes to the <i>Planning Act</i> as they relate to permissions for additional residential units
2. modifying Table 2.1.1 to rename “Existing Development” (ED) zone and replace it with “Future Development” (FD) zone	- to reflect the intention of the zone for future development and align the by-law with North Oakville Zoning By-law 2009-189
3. modifying the definition of “accessory dwelling” by updating the term to “accessory dwelling unit” and replacing second unit with additional unit	<ul style="list-style-type: none"> - “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to have consistent language between the North and South Zoning By-laws - the definition for accessory dwelling unit is proposed to be updated by replacing “second unit” with “additional unit” to reflect that through recent changes to the <i>Planning Act</i>, up to two accessory units are now permitted in certain circumstances
4. modifying the definition of “marina” by replacing “an area” with “a premises and/or outdoor area”	- the definition for marina is proposed to be updated to clarify that it includes buildings and structures (premises) as well as outdoor areas to assist with the interpretation and implementation of the Zoning By-law
5. adding a new definition for “step-back”: “means the horizontal distance between the exterior walls of a storey and the exterior walls of the storey directly below it.”	- a definition for step-back is proposed to add clarity and certainty when interpreting and implementing a provision that requires a step-back to meet urban design objectives for a proposed development
Part 4, <u>General Provisions</u> , would be amended by:	
6. modifying s. 4.1.1 a), Accessory Dwelling Units, to: <ul style="list-style-type: none"> - allow for a maximum of two accessory dwelling units in a detached dwelling, semi-detached dwelling, linked dwelling or townhouse; or - a maximum of one accessory dwelling in the permitted building and one in an accessory building; and - remove restrictions on the size of an accessory dwelling unit and entrance location 	- The accessory dwelling unit regulations are proposed to be updated to bring about conformity with recent changes to the <i>Planning Act</i> and to remove restrictions on the size of an accessory dwelling unit and entrance location. The proposed regulations will also be consistent with the accessory dwelling unit regulations under the North Oakville Zoning By-law 2009-189

7. modifying Table 4.3, Allowable Building and Structure Encroachments and Projections, to add generators to the encroachment table	- to clarify that generators are included in allowable encroachments alongside air conditions up to 0.6 m from the applicable lot line when they do not exceed a maximum height of 2.0 metres
8. modifying Table 4.3, Allowable Building and Structure Encroachments and Projections, to clarify that encroachments for uncovered platforms are for platforms with a height less than or equal to 3.0 metres rather than equal to or greater than 3.0 metres	- to correct the provision and assist with the interpretation and implementation of Zoning By-law 2014-014
9. modifying s. 4.6.2, Exceptions to Height Provisions, to delete cupolas from the list of items exempt from height provisions	- Cupolas are already exempted under s. 4.6.5. - the intention is to eliminate any confusion and assist with the interpretation and implementation of Zoning By-law 2014-014
10. modifying s. 4.6.4, Rooftop Mechanical Equipment and Mechanical Penthouse, to include rooftop solar panels and allow them to exceed a maximum of 2.0 metres above the maximum building height	- to update the Zoning By-law to allow for rooftop solar panels since the Green Energy Act, which exempted solar panels, has been repealed - the maximum height is consistent with rooftop mechanical equipment
11. modifying s. 4.7 c), Garbage Containers, to replace “building” with “fully enclosed structure” used for garbage containment	- the intention is to capture enclosed structures such as Moloks under the regulations that apply to garbage containment and clarify that an accessory building that contains garbage will be captured by the regulations that apply to accessory buildings - to add clarity and assist with the interpretation and implementation of Zoning By-law 2014-014
12. modifying s. 4.23, Short Term Accommodation, by updating the reference to “accessory dwelling” to “accessory dwelling unit”	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws
13. modifying s. 4.28, Rooftop Mechanical Equipment, to add “Rooftop Solar Panels” and to clarify that solar panels that do not exceed a height of 0.9 metres may be setback 0.0 metres from all edges of a roof and solar panels that exceed a height of 0.9 metres must be setback 5.0 metres from all edges of a roof	- to update the Zoning By-law to allow for rooftop solar panels since the Green Energy Act, which exempted solar panels, has been repealed - typically rooftop mechanical equipment must be screened or set back a minimum of 5.0 metres from the edge of a roof. The intention of these amendments is to allow for solar panels that do not exceed a height of 0.9 metres to be permitted to extend to the edge of the roof since screening is not practical. A cap on the permitted height is applied to limit impacts on the public realm and to avoid the installation of solar panels on tall poles
14. modifying s. 4.28, Rooftop Mechanical Equipment, to include rooftop solar panels	- Residential Low (RL) Zones and the Residential Medium (RM1) and (RM2) Zones are already exempt. The Residential Uptown Core (RUC) and the RM3 zone are

and include relief for Residential Uptown Core (RUC) and the RM3 zone	also proposed to be exempted since they contain similar building types to the existing exempted zones and it is considered appropriate to apply the same exemptions as they relate to rooftop solar panels across all of these zones. This should assist with the interpretation and implementation of the Zoning By-law
Part 5, <u>Parking, Loading & Stacking Lane Provisions</u> , would be amended by:	
15. modifying Tables 5.2.1, Ratios of Minimum Number of Parking Spaces, by updating the reference to “accessory dwelling” to “accessory dwelling unit”	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws
16. modifying Table 5.2.2, Ratios of Minimum Number of Parking Spaces for Mixed Use Zones, by updating the reference to “accessory dwelling” to “accessory dwelling unit”	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws
17. modifying s. 5.3.2 c), Dimensions and Paths of Travel, to clarify that when the minimum number of barrier-free parking spaces is one, the barrier-free parking space shall be a Type A barrier-free parking space	- to ensure that the larger barrier free parking space is provided when only one barrier free parking space is required. - this clarification should assist with the interpretation and implementation of the Zoning By-law
Part 6, <u>Residential</u> , would be amended by:	
18. modifying Table 6.2.1, Permitted Uses in the Residential Low Zones and the Residential Uptown Cores Zone, by updating “accessory dwelling” to “accessory dwelling unit” and deleting footnote (1) from accessory dwelling to allow for more than one accessory dwelling unit on a lot	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws. - the proposed amendment to footnote (1) also brings about conformity with recent changes to the <i>Planning Act</i> , and assists with the implementation of the Zoning By-law
19. modifying Table 6.2.1, Permitted Uses in the Residential Low Zones and the Residential Uptown Cores Zone, by deleting footnote “(4)” and replacing it with footnote “(1)” in column 2 of row 17 for Short Term Accommodation and deleting footnote (4) in its entirety	- The cap on one accessory dwelling unit is proposed to be removed to conform with recent changes to the <i>Planning Act</i> so footnote 4 is no longer required
20. modifying Table 6.2.1 footnote (1) to clarify that the restriction of only being permitted one of the noted uses (bed and breakfast establishment, day care, lodging house, private home day care or short-term accommodation) applies to the lot and not just the building to capture an accessory	- to capture accessory dwelling units that may be located in an accessory building and to assist with the interpretation and implementation of the Zoning By-law

dwelling unit that may be located in an accessory building	
21. modifying Table 6.2.2, Permitted Uses in the Residential Medium and the Residential High Zones, to add "Accessory Dwelling Unit" as a permitted use in the RM1 (Residential Medium 1) Zone	<ul style="list-style-type: none"> - to bring about conformity with recent changes to the <i>Planning Act</i> that permit accessory dwelling units in townhouses which are permitted in the RM1 (Residential Medium 1) Zone and accessory dwellings in accessory buildings associated with townhouses - the intention is to assist with the interpretation and implementation of the Zoning By-law
22. modifying Table 6.2.2, Permitted Uses in the Residential Medium and the Residential High Zones, to update footnote (1) to include "or an accessory dwelling unit associated with the main dwelling" after "dwelling"	<ul style="list-style-type: none"> - to clarify that the maximum of one of the uses subject to footnote (1) (day care, private home day care or short-term accommodation) also applies to an accessory dwelling unit associated with the main dwelling now that they are permitted - to bring about conformity with recent changes to the <i>Planning Act</i> which permit accessory dwelling units in townhouses and accessory buildings associated with townhouses - to add clarity and assist with the interpretation and implementation of the Zoning By-law
23. modifying Table 6.3.2, Regulations in the Residential Low (RL7) Zone, to add maximum Residential Floor Area Ratio to the Residential Low (RL7) regulation table and include a reference to ("0")	<ul style="list-style-type: none"> - to make it clear that the ("0") regulations apply to Residential Floor Area in the Residential Low RL7 Zone and to make Table 6.3.2 consistent with Table 6.3.1 which regulates Residential Low Zones RL1 to RL6 - to add clarity and assist with the interpretation and implementation of the Zoning By-law
24. modifying Table 6.3.5, Regulations in the Residential Low (RL10) Zone, to add maximum Residential Floor Area Ratio to the Residential Low (RL10) regulation table and include a reference to ("0")	<ul style="list-style-type: none"> - to make it clear that the ("0") regulations apply to Residential Floor Area in the Residential Low RL10 Zone and to make Table 6.3.5 consistent with Table 6.3.1 which regulates Residential Low Zones RL1 to RL6 - to add clarity and assist with the interpretation and implementation of the Zoning By-law
Part 8, <u>Mixed Use Zones</u>, would be amended by:	
25. modifying Table 8.2, Permitted Uses in the Mixed Use Zones, by: <ul style="list-style-type: none"> - updating the references to "accessory dwelling" to "accessory dwelling unit" - deleting "(5)" after "Accessory Dwelling" in column 1 - amending footnote (5) by adding "or an accessory dwelling unit associated with the main dwelling" after "dwelling" - deleting footnote (9) after "short-term accommodation" in row 45 and replacing with footnote (5) 	<ul style="list-style-type: none"> - "accessory dwelling" is proposed to be updated to "accessory dwelling unit" throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws - deleting footnote (5) from accessory dwelling to allow for more than one accessory dwelling unit on a lot to bring about conformity with recent changes to the <i>Planning Act</i>, to add clarity,

- deleting footnote (9)	<ul style="list-style-type: none"> - deleting footnote (9) and replacing with footnote (5) next to short-term accommodation since accessory dwelling unit is proposed to be removed from footnote (5) - to clarify that the maximum of one of the uses subject to footnote (5) (bed and breakfast establishment, day care, private home day care or short-term accommodation) also applies to an accessory dwelling unit associated with the main dwelling - to add clarity and assist with the interpretation and implementation of the Zoning By-law
Part 13, <u>Environmental Zones</u> , would be amended by:	
26. modifying table 13.2, Permitted uses in the Environmental Zones, by adding “unit” after “Accessory Dwelling” in row 1 of column 1	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws
Part 14, <u>Other Zones</u> , would be amended by:	
27. modifying s. 14.1, List of Applicable Zones, by replacing “Existing Development” with “Future Development” and replacing “ED” (Existing Development) with “FD” (Future Development)	- to reflect the intention of the zone for future development
28. modifying Table 14.2, Permitted uses in the Other Zones, by replacing “ED” (Existing Development) with “FD” (Future Development)	- to reflect the intention of the zone for future development
29. modifying Table 14.3, Regulations in Other Zones, by replacing “ED” (Existing Development) with “FD” (Future Development)	- to reflect the intention of the zone for future development
Part 15, <u>Special Provisions</u> , would be amended by:	
30. modify s.15.49.1 b), Accessory Dwellings in the Neighbourhood Commercial C1 Zone, by adding “unit” after accessory dwelling”	- “accessory dwelling” is proposed to be updated to “accessory dwelling unit” throughout the Zoning By-law to be consistent with the proposed update to the definition and to have consistent language between the North and South Zoning By-laws
31. modifying s. 15.72.2, special provision for 576 Bronte Road, by adding “to the additional uses permitted under subsection 15.72.1 a) above” after “regulations apply”.	- to clarify that the additional regulations only apply to an outdoor skid pad or asphalt base automobile track for the purpose of an advanced driver training centre
Part 16, <u>Holding Provisions</u> , would be amended by:	
32. replacing all references to “ED” with “FD”	- to reflect the intention of the zone for future development
Part 19, <u>Zoning Maps</u> , would be amended by:	
33. replacing all references to “ED” with “FD”	- to reflect the intention of the zone for future development

34. further amending Map 19(8) for 461 Trafalgar Road to remove special provision sp: 202 which was erroneously applied with the passing of Zoning By-law 2014-014 and adding special provision sp: 7 to the property	- to remove a reference of sp:202 which was erroneously applied and add sp:7 to implement By-law 2012-052
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CONCLUSION:

By-law 2023-024, an amendment to Zoning By-law 2014-014, as amended, has been prepared to address housekeeping, technical and other matters described in this report. Staff recommends that By-law 2023-024 be approved (attached as Appendix "A").

CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding these amendments was published in the Oakville Beaver on March 9, 2023. Since that date, the proposed Zoning By-law amendment has been available for review digitally through the Planning Services and Building Services Department Staff.

(B) FINANCIAL

There are no financial impacts arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The proposed Zoning By-law amendment was written in collaboration with the Building Services (Zoning) and Legal Services departments. It was circulated to internal departments and external agencies for review and comment, and no concerns were raised prior to the writing of this report.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community's commitment in reducing carbon footprints. The amendment of the Zoning By-law responds the town's climate initiatives by clarifying expectations for rooftop solar panels.

APPENDICES:

Appendix A – By-law 2023-024

Appendix B – Agency Comments

Prepared by:

Catherine Buckerfield, MCIP, RPP
Senior Planner, Building Services

Recommended by:

Tim Lee, MCIP, RPP
Manager, Zoning and Committee of Adjustment,
Building Services

Submitted by:

Gabe Charles, MCIP, RPP
Director, Planning Services

Submitted by:

Ralph Kaminski
Director and Chief Building Official,
Building Services

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2023-024

A by-law to amend Town of Oakville Zoning By-law 2014-014 to make a number of housekeeping, technical and other modifications affecting various Zones. (Town-initiated Omnibus Zoning By-law Amendment, File No. 42.25.21)

WHEREAS By-law 2022-022 delegates powers and duties with authority from Council to the Commissioner of Community Development to approve by-laws of a minor nature under section 34 of the *Planning Act* with respect to certain matters, including housekeeping by-laws for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law;

WHEREAS the Commissioner of Community Development is satisfied that notice of the intention to pass a by-law to make a number of housekeeping zoning by-law amendments was given in accordance with the requirements of the *Planning Act*;

WHEREAS the Commissioner of Community Development has considered all oral and written submissions related to this matter and is satisfied that these comments have been appropriately addressed;

THE CORPORATION OF THE TOWN OF OAKVILLE, BY THE COMMISSIONER OF COMMUNITY DEVELOPMENT ACTING UNDER DELEGATED AUTHORITY, ENACTS AS FOLLOWS:

1. Within **Part 1, Administration**, of Zoning By-law 2014-014:
 - a) Subsection 1.4 d) Compliance with this By-law and Certificates of Occupancy is amended by adding “*unit*” after “*accessory dwelling*”.
2. Within **Part 2, Establishment of Zones**, of Zoning By-law 2014-014:
 - a) Table 2.1.1 Zones in the Town of Oakville Zoning By-law is amended by:
 - i. Deleting “Existing Development” in the zone column and replacing with “Future Development” and,

- ii. deleting “ED” in the symbol column and replacing with “FD”.

3. Within **Part 3, Definitions**, of Zoning By-law 2014-014:

- a) The defined term **Dwelling, Accessory** is amended by:
 - i. Adding the word “Unit” after “Dwelling” and,
 - ii. the definition is amended by deleting “a second” and replacing with “an additional”.
- b) The definition of **Marina** is amended by deleting “an area” and replacing with “a *premises and/or outdoor area*”.
- c) By adding a new definition of “**Step-back**” as follows:

“means the horizontal distance between the exterior walls of a *storey* and the exterior walls of the *storey* directly below it.”

2. Within **Part 4, General Provisions**, of Zoning By-law 2014-014:

- a) Section 4.1 Accessory Dwelling Units as amended by:
 - i) deleting subsection 4.1.1 Residential Zones in its entirety and replacing with:

“**4.1.1** *Accessory dwelling units* are permitted in the following *buildings*:

 - a) *Detached dwelling*;
 - b) *Semi-detached dwelling*;
 - c) *Linked dwelling*;
 - d) *Townhouse dwelling*;
 - e) *Accessory building* associated to a *detached dwelling, semi-detached dwelling, linked dwelling, or townhouse dwelling*.”
 - ii) Deleting subsection 4.1.2 Commercial Zones in its entirety and replacing with:

“**4.1.2** The following regulations apply to *accessory dwelling units*:

 - a) A maximum of two *accessory dwelling units* in the main *building*; or,
 - b) A maximum of one *accessory dwelling unit* in the main *building* and one *accessory dwelling unit* in an *accessory building*.”

- b) Table 4.3, Allowable Building and Structure Encroachments and Projections, is amended by:
- i) Adding “generators,” after “heaters,” in Row 2 under the column Structure or Feature.
 - ii) Deleting “equal to or greater than” and replacing with “less than or equal to” Row 17 under column Structure or Feature.
- c) Section 4.6.2 Exceptions to Height Provisions, is amended by:
- i) Deleting “cupolas,” in subsection a).
- d) Section 4.6.4 Rooftop Mechanical Equipment and Mechanical Penthouse is amended by deleting “and Mechanical Penthouse” within the heading and replacing with “, Mechanical Penthouse and Solar Panels”.
- i) Section 4.6.4 Rooftop Mechanical Equipment and Mechanical Penthouse is amended by “deleting “and *mechanical penthouse*” and replacing with “, *mechanical penthouse* and solar panels” after “rooftop mechanical equipment”.
 - ii) Adding a new subsection c) as follows:

“Rooftop solar panels, including any appurtenances thereto, not exceed 2.0 metres above the maximum *height*.”
- e) Section 4.7 Garbage Containers is amended by:
- i) Deleting “*building*” and replacing with “fully enclosed *structure*” in subsection c).
- f) Section 4.23 Short Term Accommodation is amended by:
- i) Adding “*unit*” after “*accessory dwelling*” in subsection a).
 - ii) Adding “*unit*” after “*accessory dwelling*” in subsection b).
- g) Section 4.28 Rooftop Mechanical Equipment is amended by:
- i) Adding within the heading of section 4.28 “and Rooftop Solar Panels” after “Rooftop Mechanical Equipment”.
 - ii) Adding “and rooftop solar panels” after “rooftop mechanical equipment”.

iii) Adding “, Residential Uptown Core (RUC)” after “(RL) Zone” and by deleting “(RM1) and (RM2)” and replacing with “(RM1), (RM2) and (RM3)”.

iv) Adding a new subsection b) as follows:

“Rooftop solar panels shall be set back a minimum of 5.0 metres from all edges of a roof.”

v) Adding a new subsection c) as follows:

“Notwithstanding subsection b) above, rooftop solar panels that do not exceed a height of 0.9 metres above the roof upon which it is located may have a minimum setback of 0.0 metres from all edges of a roof.”

vi) Adding a new subsection d) as follows:

“Rooftop solar panels shall not exceed a height of 2.0 metres above the roof upon which it is located.”

3. Within **Part 5, Parking, Loading & Stacking Lane Provisions**, of Zoning By-law 2014-014:

a) Table 5.2.1 Ratios of Minimum Number of Parking Spaces is amended by:

i) Adding “*unit*” after “*accessory dwelling*” in column 1.

b) Table 5.2.2 Ratios of Minimum Number of Parking Spaces for Mixed Use Zones is amended by:

i) Adding “*unit*” after “*accessory dwelling*” in column 1.

c) Section 5.3.2 Dimensions and Paths of Travel is amended by:

i) Adding the sentence to the end of subsection c) “Where the minimum number of *barrier-free parking spaces* is one, the *barrier-free parking space* shall be a Type A *barrier-free parking space*.”.

4. Within **Part 6, Residential Zones**, of Zoning By-law 2014-014:

a) Table 6.2.1 Permitted Uses in the Residential Low Zones and the Residential Uptown Cores Zone is amended by:

i) Deleting footnote “(1)” in column two of row 1 for *Accessory Dwelling*.

- ii) Adding “*unit*” after “*Accessory Dwelling*” in column 1.
- iii) Deleting footnote “(4)” and replace with “(1)” in column 2 of row 17 for *Short Term Accommodation*.
- iv) Additional Regulations for Permitted Uses Table 6.2.1 footnote 1. is amended by deleting “in a *dwelling*” and replacing with “on a *lot*”.
- v) Additional Regulations for Permitted Uses Table 6.2.1 footnote 4. is deleted in its entirety.
- b) Table 6.2.2 Permitted Uses in the Residential Medium and the Residential High Zones is amended by:
 - i) Adding a new row immediately above “*Apartment Dwelling*” as follows:

	RM1	RM2	RM3	RM4	RH
<i>Accessory Dwelling Unit</i>	✓				

- ii) Additional Regulations for Permitted Uses Table 6.2.2 footnote 1 is amended by adding “or an *accessory dwelling unit* associated with the main *dwelling*” after “*dwelling*”.
- c) Table 6.3.2 Regulations in the Residential Low (RL7) Zone is amended by:
 - i) Adding a new row immediately above “Maximum *Lot Coverage* for the *Dwelling*” row as follows:

	<i>Detached Dwellings</i>	<i>Semi-Detached Dwellings</i>
<i>Maximum Residential Floor Area Ratio</i>	n/a (-0)	n/a

- d) Table 6.3.5 Regulations in the Residential Low (RL10) Zone is amended by:
 - i) Adding a new row immediately above “Maximum *Lot Coverage* for the *Dwelling*” row as follows:

	<i>Detached Dwellings</i>	<i>Semi-Detached Dwellings</i>
<i>Maximum Residential Floor Area Ratio</i>	n/a (-0)	n/a

5. Within **Part 8, Mixed Use Zones**, of Zoning By-law 2014-014:

- a) Table 8.2 Permitted Uses in the Mixed Use Zones is amended by:
 - i) Adding “*unit*” after “*Accessory Dwelling*” in column 1.
 - ii) Deleting “(5)” after “*Accessory Dwelling*” in column 1.
 - iii) Adding check mark “✓” in row 1 under zone columns “MU1” and “MU2”.
- b) Deleting footnote “(9)” and replace with “(5)” in column 1 of row 45 for Short Term Accommodation.
- c) Additional Regulations for Permitted Uses Table 8.2 footnote 5. Is amended by adding “or an *accessory dwelling unit* associated with the main *dwelling*” after “*dwelling*”.
- d) Additional Regulations for Permitted Uses Table 8.2 footnote 9. is deleted in its entirety.

6. Within **Part 13, Environmental Zones**, of Zoning By-law 2014-014:

- a) Table 13.2 Permitted uses in the Environmental Zones is amended by adding “*unit*” after “*Accessory Dwelling*” in row 1 of column 1

7. Within **Part 14, Other Zones**, of Zoning By-law 2014-014:

- a) Section 14.1 List of Applicable Zones is amended by:
 - i) Deleting “Existing Development” and replacing with “Future Development”.
 - ii) Deleting “ED” and replacing with “FD”.

b) Table 14.2 Permitted uses in the Other Zones is amended by deleting “ED” and replacing with “FD” in the zone column.

c) Table 14.3 Regulations in the Other Zones is amended by deleting “ED” and replacing with “FD” in the zone column.

8. **Part 15, Special Provisions**, of By-law 2014-014:

a) 15.49.1 b) Accessory Dwellings in the Neighbourhood Commercial C1 Zone is amended by adding “*unit*” after *accessory dwelling*”.

b) 15.72.2 576 Bronte Road is amended by adding “to the additional *uses* permitted under subsection 15.72.1 a) above” after “regulations apply”.

9. **Part 16, Holding Provisions**, of By-law 2014-014:

a) Subsection 16.3.31.2 Bronte Road, Upper Middle Road is amended by deleting “ED” and replacing with “FD”.

b) Subsection 16.3.33.2 Bronte Road, Upper Middle Road is amended by deleting “ED” and replacing with “FD”.

10. **Part 19, Zoning Maps**, of By-law 2014-014:

a) All reference on zoning maps 19(1) to 19 (24) to have reference of “ED” to be replaced with “FD”, as depicted in schedule “A”

b) Map 19 (8) for 461 Trafalgar Road to delete sp: 202 and replace with sp: 7, as depicted in schedule “A”.

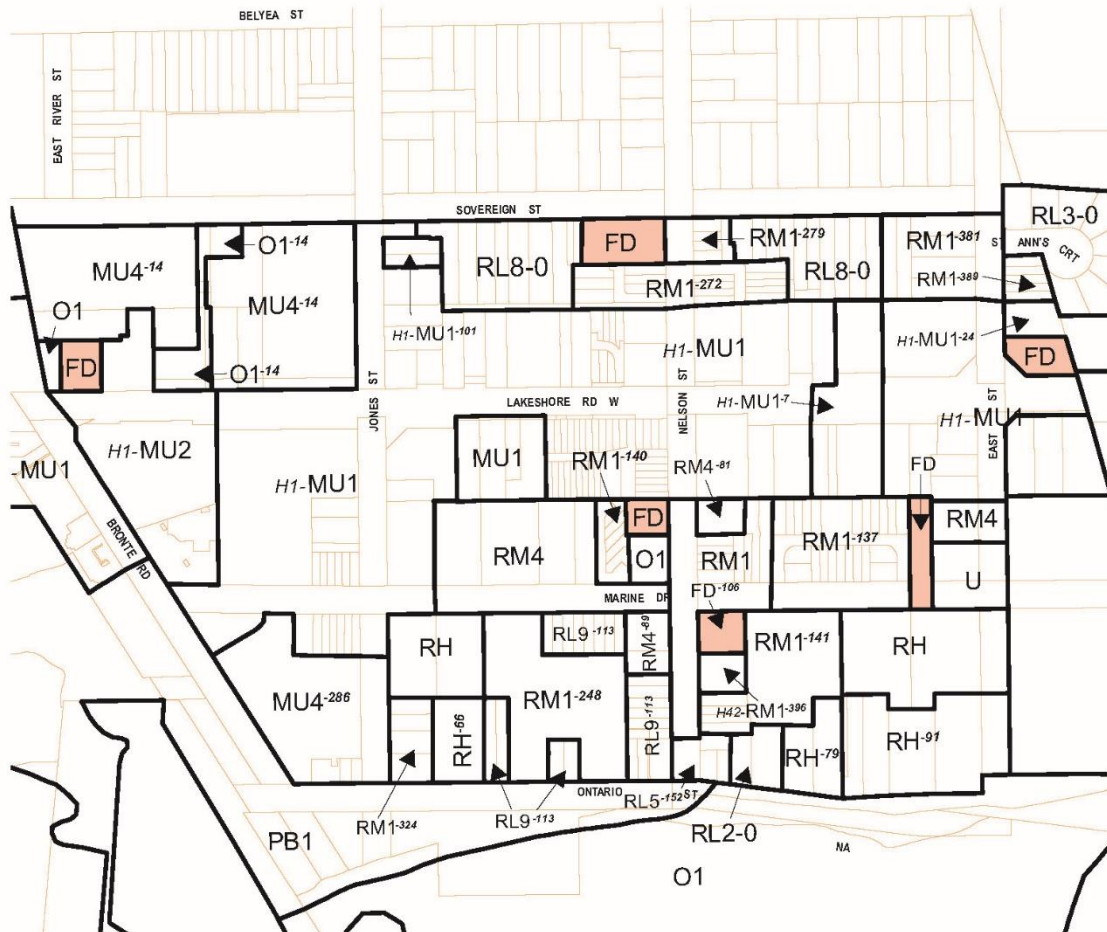
11. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 4th day of April, 2023

Commissioner of Community Development
as delegate for Council

Town Clerk

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

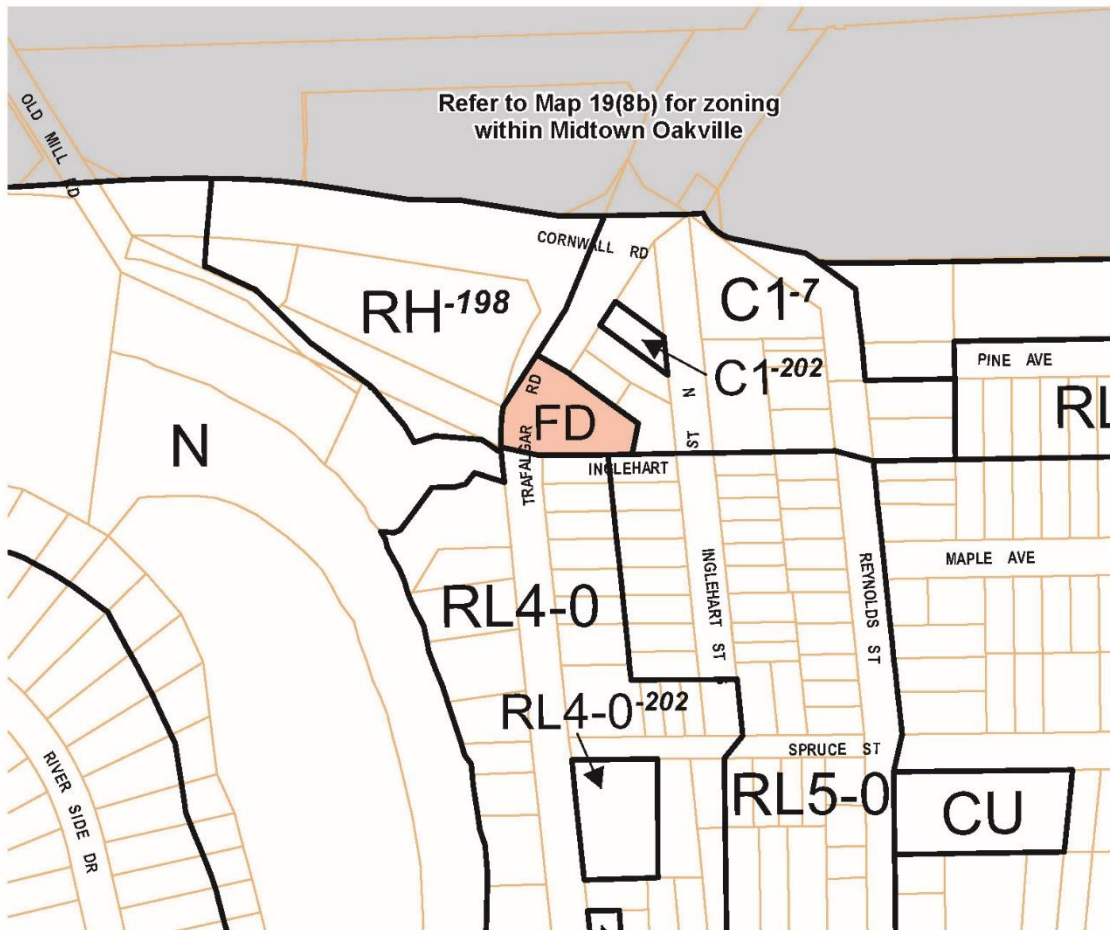
 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (2A)



SCALE: 1:4,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

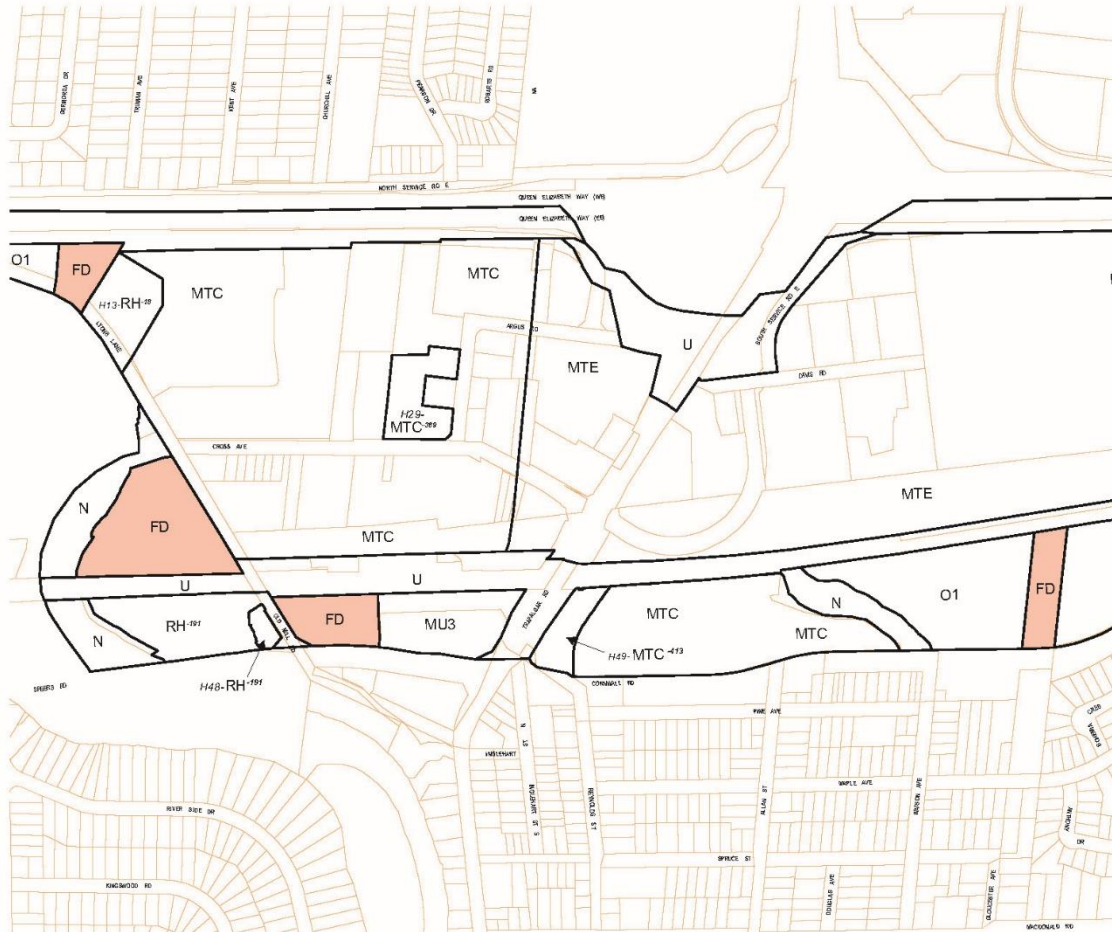
 Renamed from Existing Development (ED) to Future Development (FD)

EXCERPT FROM MAP
19 (8)



SCALE: 1:3,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

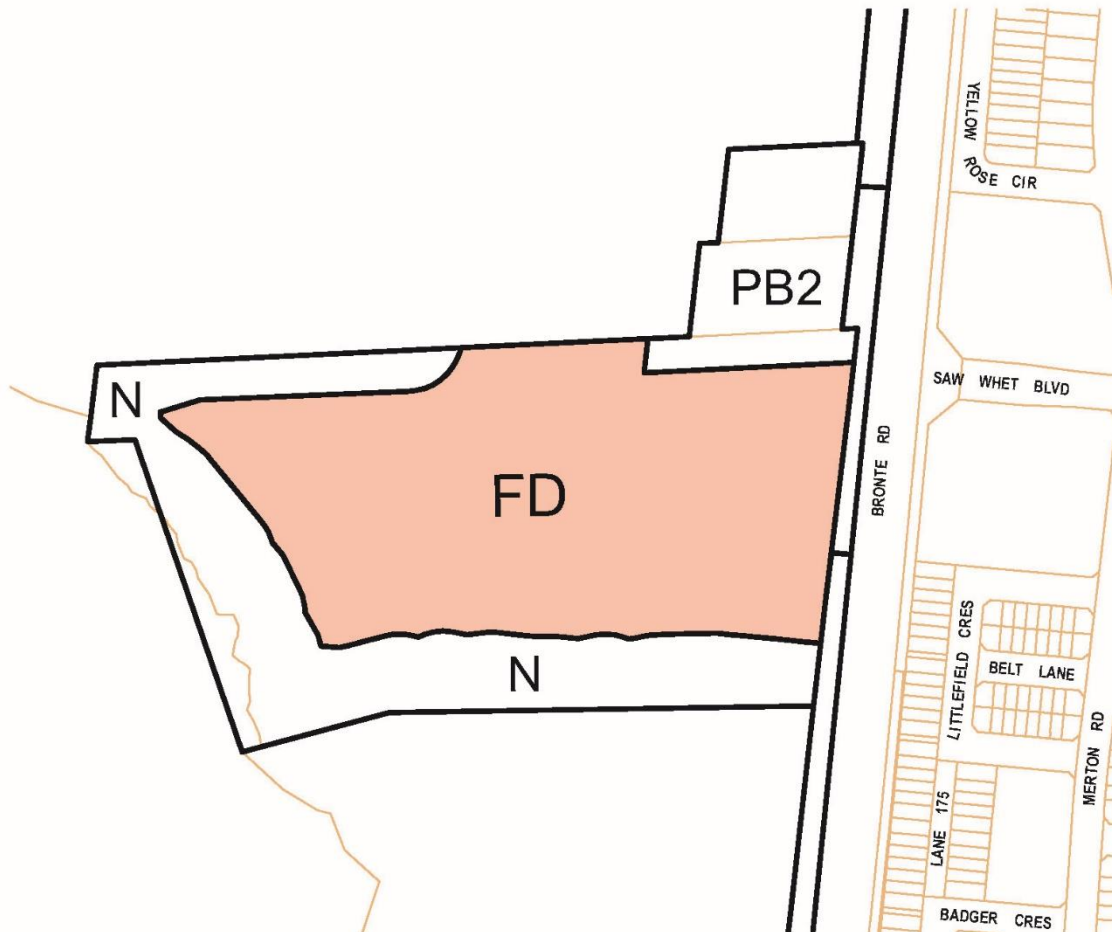
 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (8B)



SCALE: 1:8,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (11)



SCALE: 1:3,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

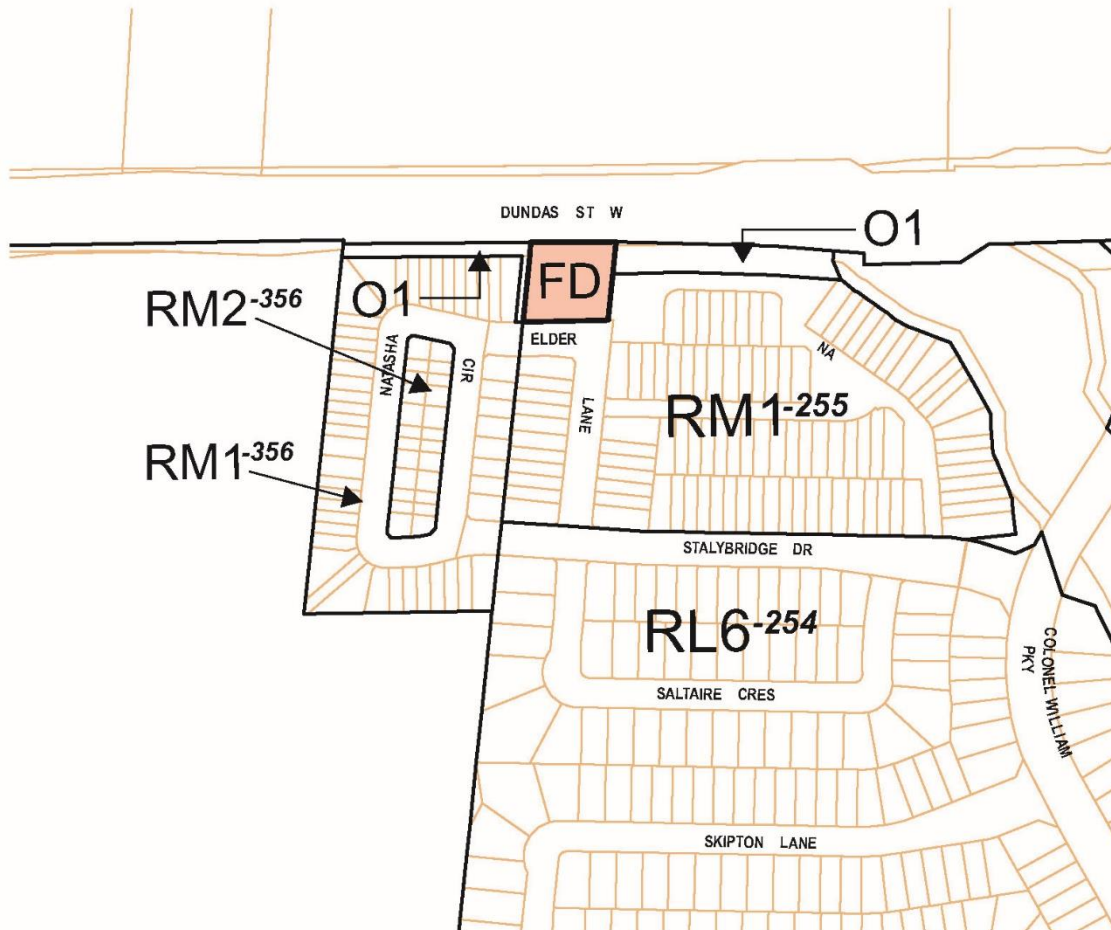
 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (13)



SCALE: 1:3,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

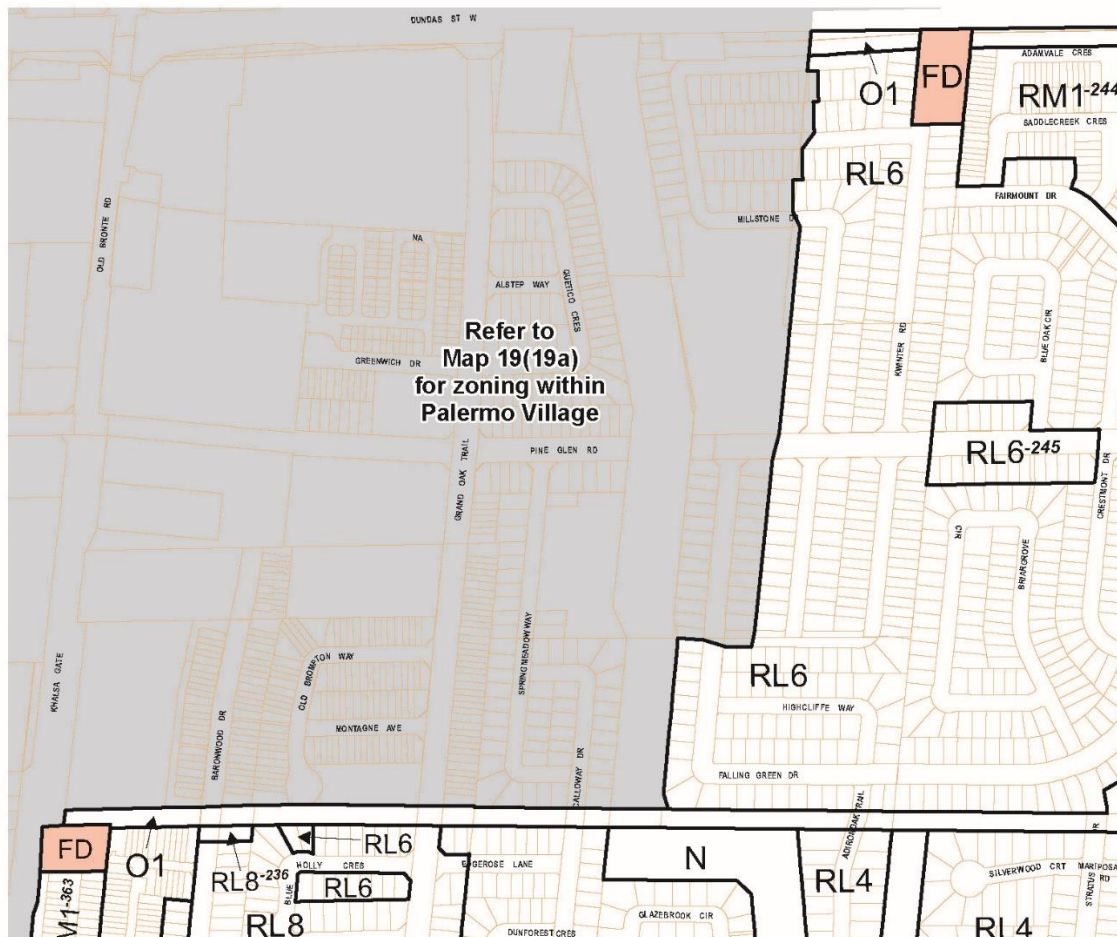
 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (18)



SCALE: 1:3,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

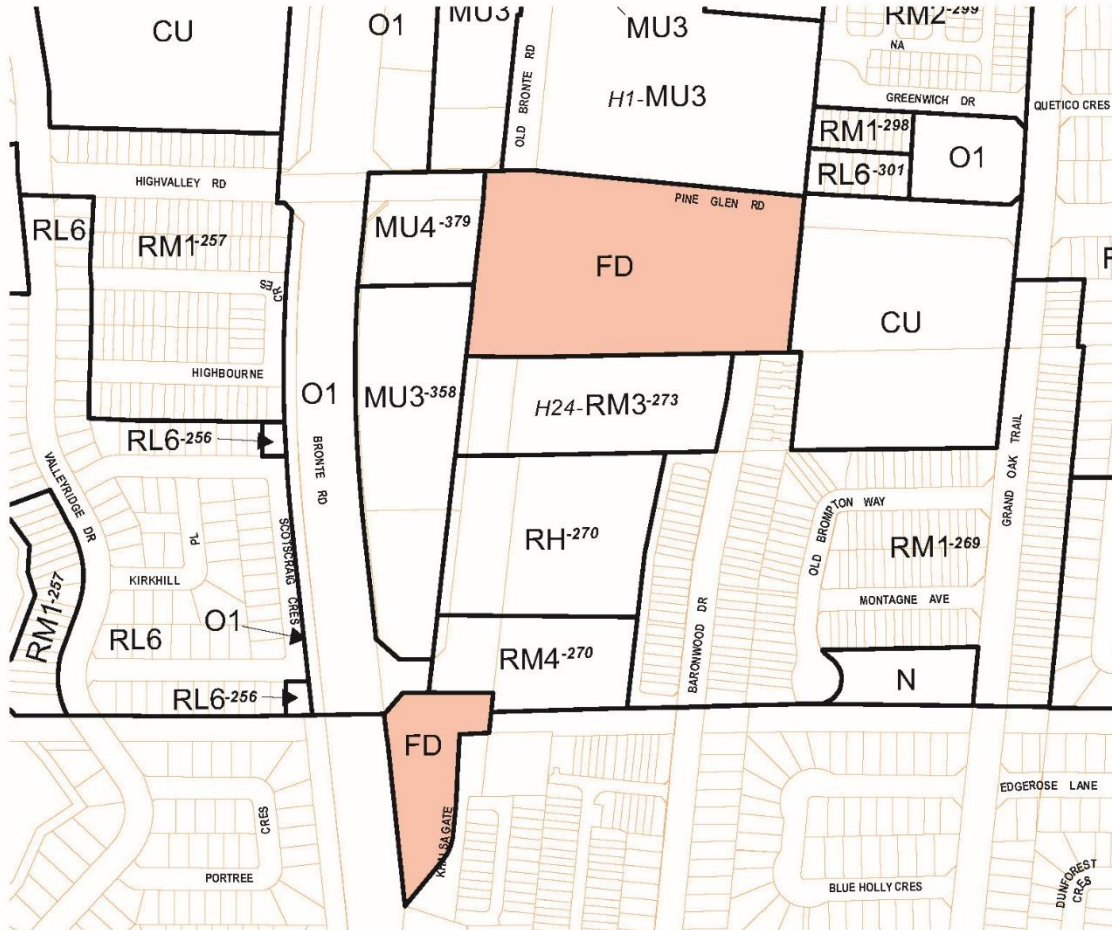
 Renamed from Existing Development (ED) to Future Development (FD)

**EXCERPT FROM MAP
19 (19)**



SCALE: 1:5,500

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

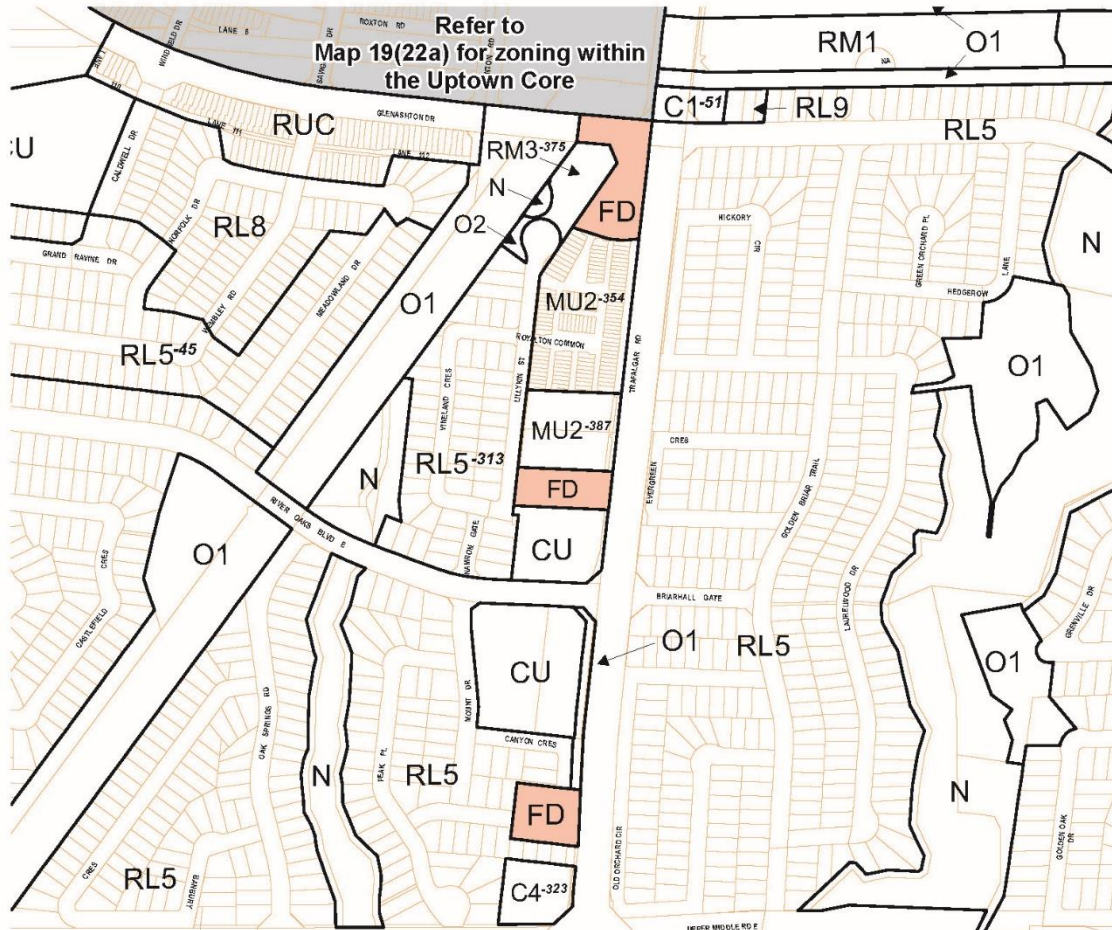
 Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (19A)



SCALE: 1:4,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

 Renamed from Existing Development (ED) to Future Development (FD)

EXCERPT FROM MAP
19 (22)

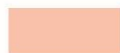


SCALE: 1:6,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014



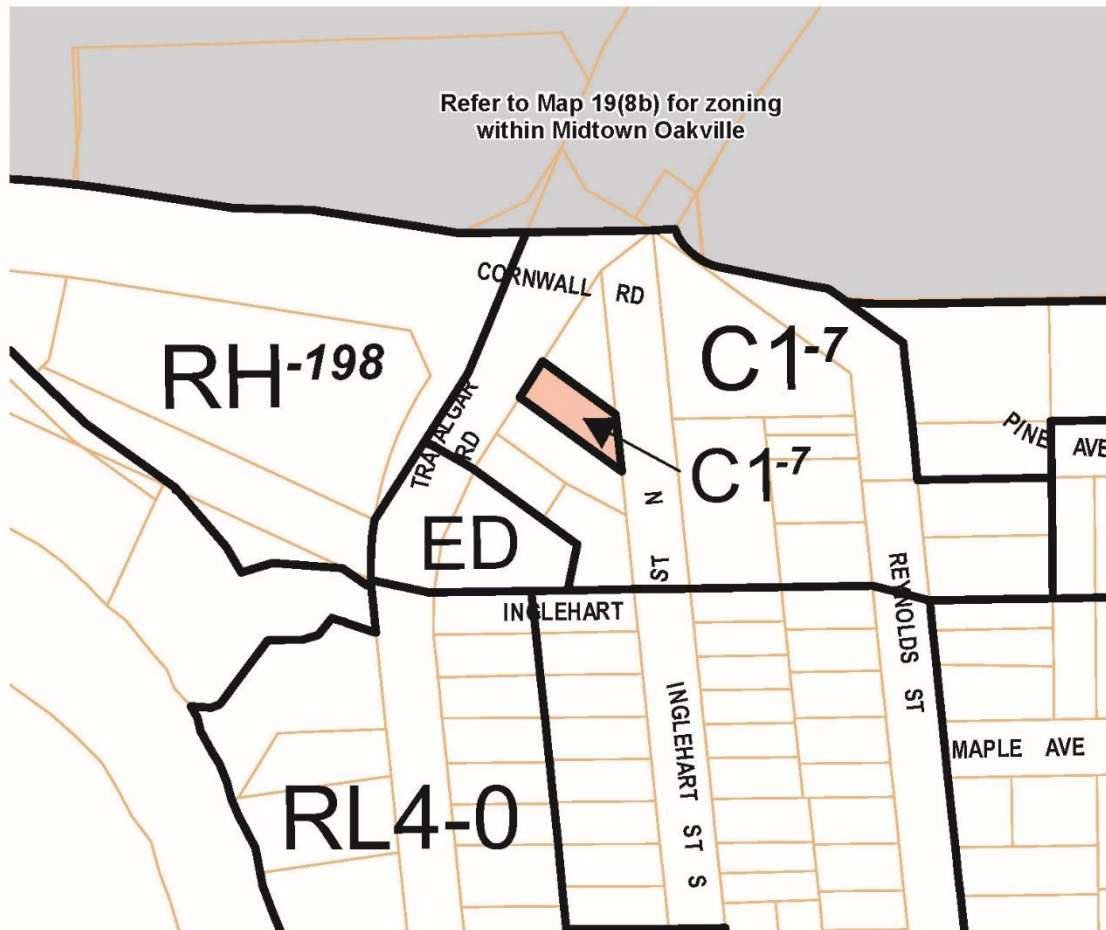
Renamed from Existing Development (ED)
to Future Development (FD)

EXCERPT FROM MAP
19 (23)



SCALE: 1:5,000

SCHEDULE "A"
To By-law 2023-024



AMENDMENT TO BY-LAW 2014-014

 Rezoned from Neighbourhood Commercial (C1 sp:202) to Neighbourhood Commercial (C1 sp:7)

EXCERPT FROM MAP 19 (8)



SCALE: 1:2,000

Appendix B

Catherine Buckerfield

From: Gunasekara, Dhilan <GunasekaraD@hcdsb.org>
Sent: Friday, March 10, 2023 3:33 PM
To: Catherine Buckerfield
Cc: Vidovic, Branko; Panzer, Katarina; Laureen Choi
Subject: HCDSB Comments re: ZBA 42.25.21

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Catherine,

The Board has reviewed the proposed Amendment to Zoning By-law 2014-014 and has no comments or objections.

If you have any questions, please let us know.

Regards,

Dhilan Gunasekara
Manager, Planning Services

Halton Catholic District School Board
802 Drury Lane, Burlington, ON L7R 2Y2
(905) 340-2129 | gunasekarad@hcdsb.org

Achieving Believing Belonging www.hcdsb.org

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Catherine Buckerfield

From: Laureen Choi [Staff] <choil@hdsb.ca>
Sent: Monday, March 13, 2023 4:15 PM
To: Catherine Buckerfield
Subject: Re: 42.25.21 - Town Initiated Omnibus Zoning By-Law Amendment (to Zoning By-law 2014-014)

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Catherine. The HDSB doesn't have any comments on this zoning by-law amendment.

Laureen Choi
Senior Analyst - Planning
[Halton District School Board](#)
J.W. Singleton Education Centre
2050 Guelph Line
Burlington, Ontario L7P 5A8
email: choil@hdsb.ca
cell: 905-749-2184
office: 905-335-3665 x2201

On Tue, Feb 28, 2023 at 1:59 PM Planning Apps <planningapps@oakville.ca> wrote:

Good afternoon,

Enclosed please find circulation for 42.25.21 – Town Initiated Omnibus Zoning By-law Amendment (to Zoning By-law 2014-014) with attached supporting documents.

The planner assigned to this file is Catherine Buckerfield, Senior Planner, at 905-845-6601 ext. 2084 or by email at catherine.buckerfield@oakville.ca

Comments are due: March 6, 2023

Regards,

Susanna

Catherine Buckerfield

From: Steiger, Bernie <Bernie.Steiger@halton.ca>
Sent: Tuesday, March 7, 2023 1:44 PM
To: Catherine Buckerfield
Subject: RE: 42.25.21 - Town Initiated Omnibus Zoning By-Law Amendment (to Zoning By-law 2014-014)

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Catherine,
I wish to advise that the Region has reviewed this proposed amendment and has no comments.
I trust that this is of assistance.
Bernie

Bernie Steiger, MCIP, RPP
Acting Manager-South
Planning Services
Legislative & Planning Services
Halton Region
905-825-6057 Ext. 7060 | 1-866-442-5866



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From: Planning Apps <planningapps@oakville.ca>
Sent: Tuesday, February 28, 2023 2:00 PM
To: Catherine Buckerfield <catherine.buckerfield@oakville.ca>; Charles McConnell <charles.mcconnell@oakville.ca>; Leigh Musson <leigh.musson@oakville.ca>; Gabe Charles <gabe.charles@oakville.ca>; Emily Gray <emily.gray@oakville.ca>; Franca Mirizio <franca.mirizio@oakville.ca>; Franca Piazza <franca.piazza@oakville.ca>; Susanna Willie <susanna.willie@oakville.ca>; Christina Tizzard <christina.tizzard@oakville.ca>; Kirk Biggar <kirk.biggar@oakville.ca>; Kristina Parker <kristina.parker@oakville.ca>; Eric Chan <eric.chan@oakville.ca>; Timothy Lee <timothy.lee@oakville.ca>; Jennifer Huctwith <jennifer.huctwith@oakville.ca>; Hillary McKenzie <hillary.mckenzie@oakville.ca>; Jim Knighton <jim.knighton@oakville.ca>; Jonathan O'Neil <jonathan.o'neil@oakville.ca>; Davin Lindsay <davin.lindsay@oakville.ca>; Janis Olbina <janis.olbina@oakville.ca>; Swaraj Mann <swaraj.mann@oakville.ca>; Vince Blosser <vince.blosser@oakville.ca>; Lily Lei <lily.lei@oakville.ca>; Rebecca Medaric <rebecca.medaric@oakville.ca>
Cc: Steiger, Bernie <Bernie.Steiger@halton.ca>; Burby, Catalina <Catalina.Burby@halton.ca>; Hewitt, Shevone <Shevone.Hewitt@halton.ca>; 'sstewart@hrca.on.ca' <sstewart@hrca.on.ca>; 'cbain@hrca.on.ca' <cbain@hrca.on.ca>;

'mlauzon@hrca.on.ca' <mlauzon@hrca.on.ca>; 'chplanning@hrca.on.ca' <chplanning@hrca.on.ca>; 'Chris Gaunt' <CGaunt@oakvillehydro.com>; 'proximity@cn.ca' <proximity@cn.ca>; 'planification@csmiamonde.ca' <planification@csmiamonde.ca>; 'vidovicb@hcdsb.org' <vidovicb@hcdsb.org>; 'planification@csdccc.edu.on.ca' <planification@csdccc.edu.on.ca>; 'choil@hdsb.ca' <choil@hdsb.ca>; Development Charges <DevelopmentCharges@halton.ca>; 'development.coordinator@metrolinx.com' <development.coordinator@metrolinx.com>; 'usman.akhtar@ontario.ca' <usman.akhtar@ontario.ca>; 'dquilty@mhbcpplan.com' <dquilty@mhbcpplan.com>; 'landroweast@tnpi.ca' <landroweast@tnpi.ca>; 'hugh.lynch@mississauga.ca' <hugh.lynch@mississauga.ca>; 'jamie.tellier@burlington.ca' <jamie.tellier@burlington.ca>; 'Colleen.Ditner@creditvalleyca.ca' <Colleen.Ditner@creditvalleyca.ca>; 'townclerk@milton.ca' <townclerk@milton.ca>; 'regionalclerk@peelregion.ca' <regionalclerk@peelregion.ca>

Subject: 42.25.21 - Town Initiated Omnibus Zoning By-Law Amendment (to Zoning By-law 2014-014)

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Good afternoon,

Enclosed please find circulation for 42.25.21 – Town Initiated Omnibus Zoning By-law Amendment (to Zoning By-law 2014-014) with attached supporting documents.

The planner assigned to this file is Catherine Buckerfield, Senior Planner, at 905-845-6601 ext. 2084 or by email at catherine.buckerfield@oakville.ca

Comments are due: March 6, 2023

Regards,
Susanna

Be advised that effective November 28th, 2022 all Part Lot Control Exemption, Fence Variance and Holding By-Law Removal applications are to be submitted online at <https://townofaakville.force.com/ServiceOakville> Our online service, which starts with creating a secure account, allows you to submit your application and the required documentation, pay any required fees (up to \$5,000), and track the status of your application. If you have any questions, please contact service@oakville.ca or 905-845-6601.

Catherine Buckerfield

From: Sean Stewart <sstewart@hrca.on.ca>
Sent: Monday, March 6, 2023 3:07 PM
To: Catherine Buckerfield
Subject: Town Initiated Zoning By-law Amendment Files 42.25.21 and 42.26.02

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Catherine,

Conservation Halton (CH) staff have reviewed the materials associated with the above-noted Town-initiated Zoning By-law Amendments and have no comment on the applications.

Sincerely,

Sean Stewart, RPP MCIP
Environmental Planner

Conservation Halton
2596 Britannia Road West, Burlington, ON L7P 0G3
905.336.1158 ext. 2250 | Fax 905.336.7014 | [sstewart@hrca.on.ca](mailto:ss Stewart@hrca.on.ca)
conservationhalton.ca



Click [here](#) to learn about Conservation Halton's new strategic plan.

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