



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2018-028

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as 2264, 2274 and 2320 Trafalgar Road (Former Works Yard)

(Part of Lot 13, Concession 1 S.D.S)
(Town of Oakville, File No.:42.24.018)

COUNCIL ENACTS AS FOLLOWS:

1. Map 19(22a) of By-law 2014-014 as amended, is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 15, Special Provisions, of By-law 2014-014 as amended, is amended by deleting Section 15.307 in its entirety.
3. Part 15, Special Provisions, of By-law 2014-014 as amended, is amended by adding a new Section 15.307 as follows:

307	2264, 2274 and 2320 Trafalgar Road (Former Works Yard)	Parent Zone: MU4
Map 19(22a)	(Part of Lot 13, Concession 1 S.D.S.)	(20Error! Reference source not found.1-054) (20Error! Reference source not found.-079) (2016-103) (2018-077)
15.307.1 Additional Permitted Uses		

The following additional use is permitted on all lands identified as subject to this Special Provision:		
a)	<i>Park, private</i>	
15.307.2 Prohibited Uses		
The following uses are prohibited on all lands identified as subject to this Special Provision:		
a)	<i>Commercial Parking Area</i>	
b)	<i>Motor Vehicle Rental Facility</i>	
15.307.3 Zone Provisions for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum floorplate dimension of a <i>building</i> tower measured from outside wall to outside wall, inclusive of projecting <i>balconies</i>	No greater than 40 metres in length in any direction above the podium
b)	Minimum <i>separation distance</i> between portions of the <i>building</i> above the fourth <i>storey</i>	25 m
c)	<i>Maximum yard</i> from any <i>lot line</i> abutting <i>public road</i> or <i>private road</i>	3 m
d)	<i>Minimum yard</i> from any <i>lot line</i> for a below <i>grade parking structure</i>	0 m
e)	Maximum height of <i>parapets</i> measured above the top of the roof of a <i>building</i>	3.0 m
f)	Maximum allowable projection into all <i>yards</i> for <i>balconies</i> , bay windows, cornices, stairs, <i>porches</i> , and terraces	Up to 0.3 m from a <i>lot line</i> abutting any <i>public road</i>
g)	Minimum length of a <i>main wall</i> located within the area defined by the <i>minimum</i> and <i>maximum front yards</i> or <i>flankage yards</i> adjacent to a <i>public</i> or <i>private</i> road.	85%, exclusive of any indentations or projections
h)	Maximum <i>building</i> length	55.0 m

i)	The minimum percentage of the <i>main wall</i> on the <i>first storey</i> oriented toward a <i>front</i> or <i>flankage lot line</i> that shall be occupied by windows and doors	75%
j)	Where non-residential uses are located at grade and are oriented towards a <i>public</i> or <i>private road</i> , or a public <i>amenity space</i> , a minimum of one principal <i>building</i> entrance to each <i>premises</i> shall be directly accessible from, and oriented towards, the <i>public road</i> , or public <i>amenity space</i> . A maximum of 2 entrances are permitted for a premises located at the corner of the <i>building</i> in such locations.	
k)	Transformer and telecommunications vaults shall be located internal to the serviced <i>building</i> or below <i>grade</i> .	
l)	The parking of <i>motor vehicles</i> is prohibited in the <i>first storey</i> of an above <i>grade parking structure</i> for the first 9.0 metres of the depth of the <i>parking structure</i> measured in from the <i>lot line</i> abutting a <i>public</i> or <i>private road</i> or a <i>public</i> or <i>private park</i> .	
m)	Where a <i>parking space</i> designated to a car share is provided within a <i>building</i> , the minimum number of <i>parking spaces</i> for residential <i>uses</i> shall be decreased by 10 <i>parking spaces</i> to a maximum reduction of 10% of the total minimum <i>parking spaces</i> .	
n)	A minimum of 20% of the minimum <i>parking spaces</i> in a <i>building</i> shall be provided with electric vehicle supply equipment installed in accordance with Section 86 of the Electrical Safety Code and adopted under Ontario Regulation 164/99 (Electrical Safety Code) made under the Electrical Act, 1998.	
o)	The electrical room of a <i>building</i> that is used for minimum <i>parking spaces</i> must include enough space to install all necessary equipment to provide charging for all <i>parking spaces</i> in the future.	
p)	A <i>surface parking area</i> shall not be permitted in any <i>yard</i> between a <i>building</i> and a <i>public</i> or <i>private road</i> and shall not occupy more than 20% of the <i>lot area</i>	
15.307.4 Definitions		

Electric Motor Vehicle – means a *motor vehicle* that is propelled either partially or exclusively on electric energy from the grid, or an off-board source, that is stored on-board for motive purpose. Electric *motor vehicles* includes battery electric *motor vehicles* and plug-in hybrid electric *motor vehicles*.

15.307.5 Zone Provisions for Block A Lands

The following regulations apply to lands identified as Block A on figure 15.307.1:

a)	Minimum number of <i>dwelling units</i> for all of Block A lands combined	705
b)	Minimum <i>height</i>	41 m
c)	Minimum number of <i>storeys</i>	12
d)	Maximum <i>height</i>	54 m
e)	Minimum number of <i>storeys</i>	16
f)	Maximum <i>height</i> of a podium	14 m
g)	Maximum number of <i>storeys</i> for a podium	4
h)	Maximum <i>height</i> (upon execution of a Section 37 agreement)	62 m
i)	Maximum number of <i>storeys</i> (upon execution of a Section 37 agreement)	20
j)	Residential <i>dwelling units</i> are prohibited on the <i>first storey</i> in the first 9.0 metres of the depth of the <i>building</i> measured from the <i>main wall</i> oriented towards the <i>lot line that is either adjacent to Georgian Drive or a public amenity space</i> .	
k)	Any <i>building</i> located at the northwest corner of Trafalgar Road and Georgian Drive shall incorporate a transit shelter within the <i>podium</i> oriented towards Trafalgar Road.	

15.307.6 Parking Regulations for Block A Lands

The following parking regulations apply to lands identified as Block A on figure 15.307.1:

a)	Minimum number of <i>parking spaces</i> for a residential <i>use</i> (inclusive of visitors parking spaces)	1.15 per <i>dwelling</i>
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b)	Minimum number of visitor parking spaces for a residential use	0.15 per <i>dwelling</i>
c)	Minimum number of <i>parking spaces</i> for non-residential uses	1 space per 35.0 m ² of <i>net floor area</i>

15.307.7 Zone Provisions for Block B Lands

The following regulations apply to lands identified as Block B on figure 15.307.1:

a)	Minimum number of <i>dwelling units</i> for all of Block B lands combined	360
b)	Minimum <i>height</i>	22.0 m
c)	Minimum number of <i>storeys</i>	6
d)	Maximum <i>height</i>	35.0 m
e)	Minimum number of <i>storeys</i>	10
f)	Maximum <i>height</i> of a podium	14.0 m
g)	Maximum number of <i>storeys</i> for a podium	4
h)	Maximum <i>height</i> (upon execution of a Section 37 agreement)	48 m
i)	Maximum number of <i>storeys</i> (upon execution of a Section 37 agreement)	14
j)	Maximum number of <i>storeys</i> in any one tower (upon execution of a Section 37 agreement)	4
k)	Maximum yard to a <i>building</i> from any lot line abutting a <i>public</i> or <i>private road</i>	3.0 m
l)	Minimum <i>separation distance</i> between <i>buildings</i>	7.5 m
m)	Minimum <i>main wall</i> stepback above the 4 th Storey	3.0 m
n)	<i>Retail Stores</i> and Service Commercial Uses shall be the only permitted uses on the <i>first storey</i> , for a cumulative minimum width of 85% of the <i>building</i> for the first 9.0m of depth of the <i>building</i> measured from the <i>main wall</i> oriented towards Georgian Drive.	

15.307.8 Parking Regulations For Block B Lands

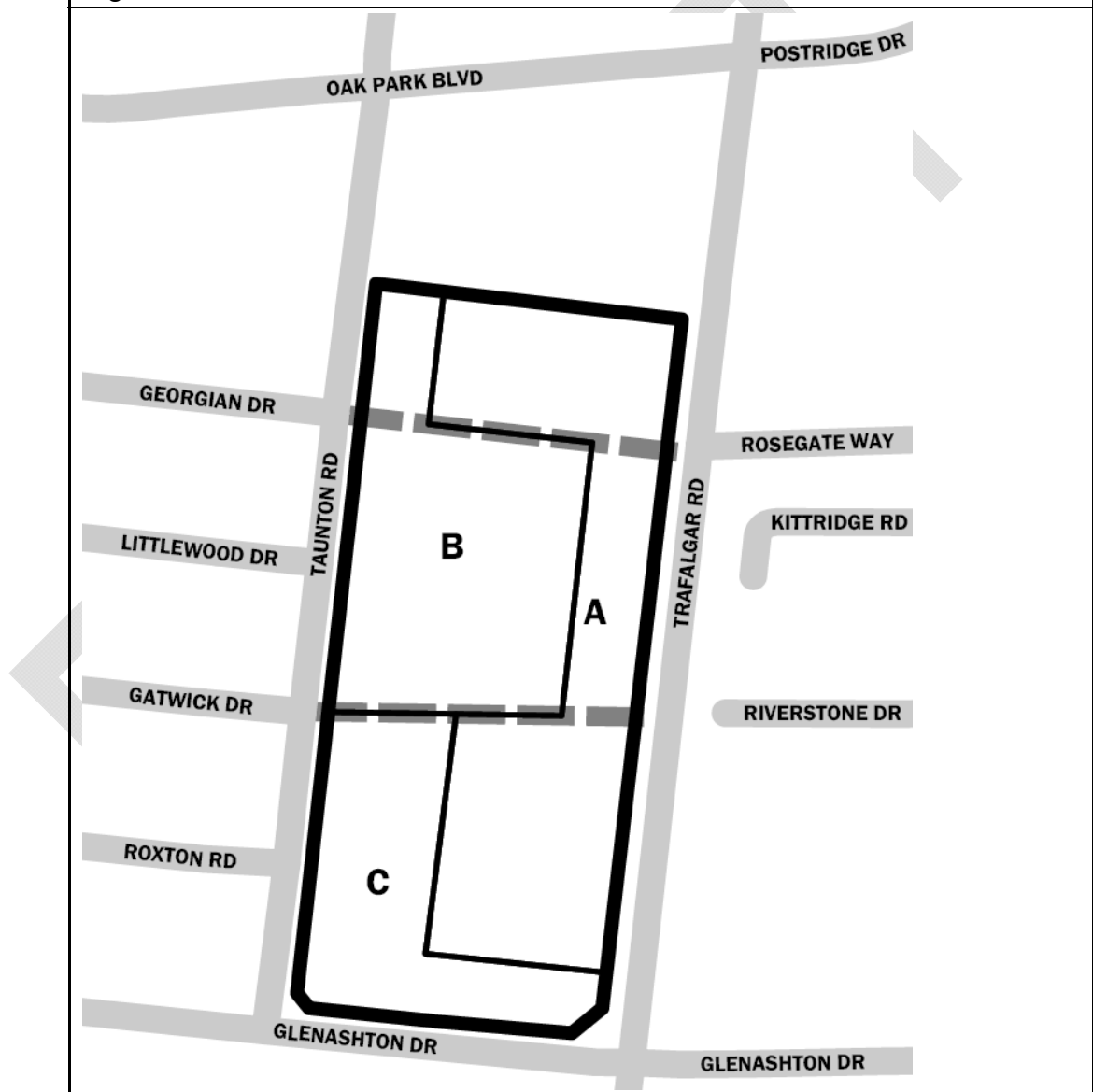
The following parking regulations apply to lands identified as Block B on figure 15.307.1:		
a)	Minimum number of <i>parking spaces</i> for a residential use (inclusive of visitors parking spaces)	1.15 per <i>dwelling</i>
b)	Minimum number of visitor <i>parking spaces</i> for a residential use	0.15 per <i>dwelling</i>
c)	Minimum number of <i>parking spaces</i> for non-residential uses	1 space per 35.0 m ² of <i>net floor area</i>
15.307.9 Additional Permitted Uses for Block C Lands		
The following additional <i>uses</i> are permitted on lands identified as Block C on figure 15.307.1:		
a)	<i>Townhouse dwelling</i>	
b)	<i>Townhouse dwelling back-to-back</i>	
c)	<i>Stacked Townhouse dwelling</i>	
15.307.10 Zone Provisions for Block C Lands		
The following regulations apply to lands identified as Block C on figure 15.307.1:		
a)	Minimum number of <i>dwelling units</i> for all of Block C lands combined	150
b)	Minimum <i>height</i>	14.0 m
c)	Minimum number of <i>storeys</i>	4
d)	Maximum <i>height</i>	22.0 m
e)	Maximum number of <i>storeys</i>	6
f)	<i>Maximum yard</i> for a <i>building</i> containing a <i>dwelling</i> from any <i>public</i> or <i>private road</i>	5.0 m
g)	<i>Minimum flankage yard</i> for a <i>building</i> containing a <i>dwelling</i> with the primary entrance oriented towards <i>flankage lot line</i>	3.0 m
h)	Maximum encroachment into a <i>minimum yard</i> for access stairs	Up to 0.3 m from any <i>lot line</i>
i)	<i>Dwelling units</i> are not permitted more than 1.0 m below <i>grade</i> .	
15.307.11 Parking Regulations For Block C Lands		

The following parking regulations apply:

a)	Minimum number of <i>parking spaces</i> for a residential <i>use</i> inclusive of visitor parking for a back to back townhouse or stacked townhouse dwelling.	2.2 per <i>dwelling</i>
b)	Minimum number of visitor <i>parking spaces</i> for a residential <i>use</i>	0.20 per <i>dwelling</i>

15.307.12 Special Site Figures

Figure 15.307.1



15.391.13 Special Parking Provisions

a)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination
15.307.14 Special Site Provisions	
The following additional provisions apply:	
a)	<i>Height</i> shall be measured from the finished floor elevation closest to <i>grade</i> .
15.307.15 Bonussing Provisions	
In order to permit the increased permissions contained in this Special Provision, zoning compliance for <i>building height</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the Planning Act. The owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following:	
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits in the Uptown Core identified in the Livable Oakville Plan.

4. Part 16, Holding Provisions, of By-law 2014-014 as amended, is amended by deleting Section 16.3.19 in its entirety.
5. Part 16, Holding Provisions, of By-law 2014-014 as amended, is amended by adding a new Section 16.3.19 as follows:

H19	2264, 2274 and 2320 Trafalgar Road (Former Works Yard) (Part of Lot 13, Concession 1 S.D.S.)	Parent Zone: MU4
Map 19(22a)		(2018-028)
16.3.19.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
16.3.19.2 Conditions for Removal of the “H”		

<p>The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u>. The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i>:</p>	
a)	The Owner has submitted, to the satisfaction of the Regional Municipality of Halton, an update to the Functional Servicing Report establishing there is sufficient capacity for water and/or sanitary sewer to service the subject lands and to discuss any required servicing extensions/requirements to support the proposed development.
b)	The Owner has submitted, to the satisfaction of the Region of Halton, an updated Phase 2 Environmental Site Assessment and any recommended environmental reports, along with a Letter of Reliance extending Third party Reliance to the Region of Halton, which demonstrates that the lands are free and clear for their intended use.
c)	The Owner has submitted, to the satisfaction of the Regional Municipality of Halton, an update to the Transportation Impact Study establishing there is sufficient capacity on the regional road network to support the proposed development.
d)	The Owner has submitted, to the satisfaction of the Regional Municipality of Halton, a Noise Assessment Study to support the proposed development.
e)	A Ministry of the Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.
f)	That the Owner receive clearance from the Ministry of Natural Resources and Forestry to confirm the absence of any species at risk
g)	The Owner has submitted, to the satisfaction of the Town of Oakville, a Stormwater Management Report to support the proposed development.
h)	Registration on title of a Section 37 Agreement per the <u>Planning Act</u> .
i)	Land and funds required for the construction of the ultimate condition for Taunton Road (23.0 metres), Georgian Drive and Gatwick Drive (20.0 metres) have been secured to the satisfaction of the Town of Oakville.

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

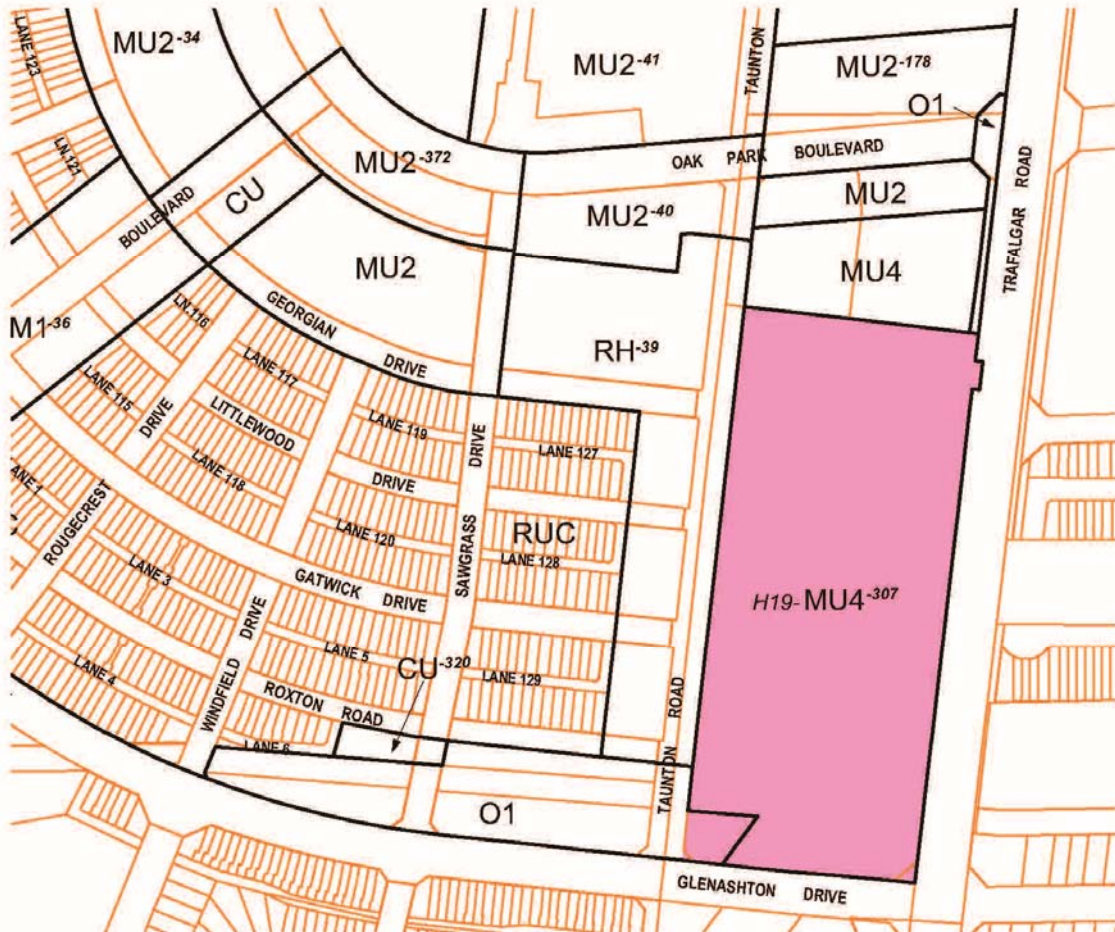
PASSED this 14th day of May, 2018

MAYOR


CLERK

DRAFT

SCHEDULE "A"
To By-law 2018-028



AMENDMENT TO BY-LAW 2014-014

 Rezoned from Urban Core (H19 -- MU4 -- SP 307) to Urban Core (H19 -- MU4 -- SP 307); and Park (O1)

EXCERPT FROM MAP 19 (22a)



SCALE 1 : 4000

