

DRAFT

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 2015-_____

A By-Law to amend the Town of Oakville’s Comprehensive Zoning By-law 2014-014 as amended, to permit the development of a residential subdivision including mixed uses, parks and open spaces, on lands known legally as
Part of Lots 28, 29 and 30, Concession 2, Town of Oakville
(File Z._____)

Whereas Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact a Zoning By-Law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF OAKVILLE ENACTS AS FOLLOWS:

1. Map 19(12) of By-Law 2014-014, as amended, is further amended as shown on Schedule ‘A’ by rezoning the lands identified as O2 – Private Open Space to:
 - a. Residential Low (RL)
 - b. Residential Medium (RM)
 - c. Main Street 1 (MU1)
 - d. Stormwater Management Facility (SMF)
 - e. Park (O1)
 - f. Natural Area (N)

2. Part 6 of By-Law 2014-014, as amended, is hereby further amended by adding the following Special Provisions:

352	Part of Lots 28, 29 and 30, Concession 2		Parent Zone: RL
Map 19(12)			(2015-xxx)
15.352.1 Zone Provisions			
The following zone regulations apply:			
a)	Minimum lot frontage	• 9 m.	
b)	Minimum side yard setback with attached private garage	• 1.2 m. on one side and 0.6 m. on the other side	
c)	Minimum flankage yard setback for corner lots	• 2.0 m.	
d)	Minimum rear yard	• 7.0 m., except that a one storey addition may project into the rear yard with a min. setback of 3 m. for a max of 45% of the dwelling width measured at the rear of the main building.	

e)	Minimum front yard	<ul style="list-style-type: none"> • common yard: 2.5 m. • porch yard: 2.5 m. • inset porch yard: 2.5 m.
f)	Maximum height	<ul style="list-style-type: none"> • 3 storeys
g)	Maximum lot coverage	<ul style="list-style-type: none"> • shall not apply
h)	Minimum and maximum residential floor area	<ul style="list-style-type: none"> • shall not apply
i)	Maximum permitted <i>overall height</i> of an <i>accessory building</i> or <i>structure</i>	<ul style="list-style-type: none"> • 4.5 metres.
j)	Maximum private garage door width	<ul style="list-style-type: none"> • 50% of the lot frontage
k)	Minimum size of required parking spaces in private garage	<ul style="list-style-type: none"> • 3.0 m. in width and 5.5 m. in length for a single car private garage. • 5.6 m. in width and 5.5 m. in length for a double car private garage. • One step may encroach into the length of the parking space at the end of the parking space. In addition, obstructions within 1.15 m. of either stall end and not greater than 0.3 m. in width are permitted.
l)	Minimum size of required parking spaces located exterior to a private garage	<ul style="list-style-type: none"> • 2.6 m. in width and 5.2 m. in length. • Obstructions within 1.15 m. of either stall end and not greater than 0.3 m. in width are permitted.
m)	The private garage maximum size and all requirements of Section 5.8.6 – “Private Garage Maximum Sizes” shall not apply.	
n)	Minimum size of required parking spaces for tandem parking shall not apply.	
o)	Tandem parking shall be permitted in buildings containing no more than 2 dwelling units.	
p)	No part of a private garage shall project beyond the front wall of the first storey of the dwelling except where a porch or landing is provided, in which case the private garage shall not project beyond the front of the porch or landing	
q)	The maximum width of the <i>driveway</i> shall not exceed the exterior width of the garage, except where the <i>driveway</i> abuts a <i>porch</i> , in which case the width of the <i>driveway</i> may extend to the edge of the <i>porch</i> , or building to a maximum 1.0 metres beyond the width of the garage.	
r)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. Porches shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	
s)	For the purpose of calculating the required yards, lot area and frontage on a street, a publicly-owned 0.3 metre (one foot) reserve and the daylight triangles adjoining the lot shall be deemed to be part of the lot.	

t)	No minimum separation distance shall be required between detached dwellings on abutting lots.
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15.352.2		Allowable Building and Structure Projections		
The following allowable building and structure projections apply: “n/a” means that the identified measurement is not applicable to the structure or feature identified.				
		Yard in which structure is permitted	Maximum projection into required yard	Minimum distance from lot line
a)	Bay, Box out and Bow Windows with or without foundations with a maximum width of 3m which may be a maximum of three storeys in height and which may include a door.	Front & flankage	0.6 m.	1.0 m. from the front lot line and flankage lot line
		All other yards	0.6 m.	0.6 m. from the lot line
b)	<i>Uncovered platforms</i> 0.6m. or greater in <i>height</i> measured from surrounding grade and <i>porches</i> , including a <i>balcony on top of a porch including vertical supports and a roof above and landings</i> . However, any exterior stair required to provide access to an <i>uncovered platform or porch</i> shall be permitted to encroach into any required <i>yard</i> .	Front	1.5 m.	1.0 m from the <i>front lot line</i> with exception of any exterior stair which may encroach to within 0.5m of the <i>front lot line</i> .
		Rear	2.5 m.	0.6 m. from the rear lot line
		Interior side	n/a	0.6 m. from the interior side lot line except where the platform is designed to allow drainage to occur underneath in which case the minimum setback shall be 0 m.
		Flankage	n/a	1.0 m. from the flankage with the exception of any exterior stair which may encroach to within 0.5 m. of the flankage

c)	<i>Uncovered platforms less than 0.6 m. in height measured from surrounding grade</i>	Front	1.5 m.	1.0 m. from the front lot line and flankage
		Interior side	n/a	0.6 m. from the interior side lot line except: i. where the platform is designed to allow drainage to occur underneath in which case the minimum setback shall be 0 m.
d)	<i>Uncovered platforms having a floor height equal to or greater than 3.0 m. measured from grade shall not apply.</i>			

15.352.3	Definitions
The following definitions apply:	
“Accessory building or structure”	means a <i>building</i> or <i>structure</i> used for an accessory purpose, including a detached <i>private garage</i> , that is: a) located on the same <i>lot</i> as the primary <i>use, building, or structure</i> ; and, b) is not <i>used</i> for human habitation or an occupation for gain or profit unless otherwise permitted by this By-law. Accessory structures do not include driveways, walks, fences, retaining walls, or ornamental walls, noise walls, or masonry incidental to the main use of the premises, but do include parking pads.
“front wall”	means the closest point, measured at grade level, of the wall of a building facing or most nearly facing the street from which the building has its principal access.
“grade”	means the grade elevation measured at: i. the centre point of the front lot line for interior lots; and, ii. the average of the elevations of the centre points of each lot line abutting a street for corner lots and through lots.
“height”	means, when the regulation establishes a specific dimension, the vertical distance between the established grade to the highest point of a structure when the regulation establishes height in storeys, means the number of storeys.
“lot frontage”	means the horizontal distance between the side lot lines of a lot measured at the minimum applicable front yard setback. Frontages shall be determined in a manner that is most compatible with the surrounding development where possible, otherwise the shorter

	boundary abutting a street shall be deemed to be the frontage.
“porch”	means a roofed gallery or portico structure attached to the exterior of a building. A basement may be located under the porch.
“porch, inset”	means a porch which is wholly or partially covered by the building rather than a roof.
“common yard”	means a front yard wherein the front wall is set back from the front lot line and there is no porch. The front yard created generally remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.
“porch yard”	means a front yard wherein the front wall is set back from the front lot line with an attached porch permitted to encroach.
“inset porch yard”	means a front yard wherein the front wall is measured at the second storey and is set back from the front lot line. The second storey overhangs an attached inset porch which is permitted to encroach.

353	Part of Lots 28, 29 and 30, Concession 2	Parent Zone: RM
Map 19(12)		(2015-xxx)
15.353.1 Zone Provisions		
The following zone regulations apply:		
a)	Minimum lot frontage for street townhouse with private garage	<ul style="list-style-type: none"> • 7.0 m. per unit
b)	Minimum lot frontage for townhouse back-to-back with private garage	<ul style="list-style-type: none"> • 5.5 m. per unit
c)	Minimum lot depth for townhouse back-to-back with private garage	<ul style="list-style-type: none"> • 12 m.
d)	Minimum side yard setback for townhouse back-to-back with private garage	<ul style="list-style-type: none"> • Interior unit: 0.0 m. • Exterior unit: 1.2 m.
e)	Minimum flankage yard	<ul style="list-style-type: none"> • 2.0 m.
f)	Minimum front yard	<ul style="list-style-type: none"> • common yard: 2.5 m. • porch yard: 2.5 m. • inset porch yard: 2.5 m.
g)	Maximum height	<ul style="list-style-type: none"> • 3 storeys
h)	Minimum landscaped area for townhouse back-to-back with private garage	<ul style="list-style-type: none"> • shall not apply
i)	Maximum private garage door width	<ul style="list-style-type: none"> • 50% of the lot frontage
j)	Minimum size of required parking spaces in private garage	<ul style="list-style-type: none"> • 3.0 m. in width and 5.5 m. in length for a single car private garage. • One step may encroach into the length of the parking space at the end of the parking space. In addition, obstructions within 1.15 m. of either stall end and not greater than 0.3 m. in

		width are permitted.
k)	Minimum size of required parking space located exterior to a parking garage	<ul style="list-style-type: none"> • 2.6 m. in width and 5.2 m. in length. • Obstructions within 1.15 m. of either stall end and not greater than 0.3 m. in width are permitted.
l)	The private garage maximum size shall not apply and all requirements of Section 5.8.6 – “Private Garage Maximum Sizes” shall not apply. .	
m)	Minimum size of required parking spaces for tandem parking shall not apply.	
n)	Tandem parking shall be permitted in buildings containing no more than 2 dwelling units, street-related townhouse dwelling units and back-to-back dwelling units.	
o)	No part of a private garage shall project beyond the front wall of the first storey of the dwelling except where a porch or landing is provided, in which case the private garage shall not project beyond the front of the porch or landing	
p)	The maximum width of the <i>driveway</i> shall not exceed the exterior width of the garage, except where the <i>driveway</i> abuts a <i>porch</i> , in which case the width of the <i>driveway</i> may extend to the edge of the <i>porch</i> , or building to a maximum 1.0 metre beyond the width of the garage.	
q)	A <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. Porches shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	
r)	For the purpose of calculating the required yards, lot area and frontage on a street, a publicly-owned 0.3 metre (one foot) reserve and the daylight triangles adjoining the lot shall be deemed to be part of the lot.	

15.353.2		Allowable Building and Structure Projections		
The following allowable building and structure projections apply: “n/a” means that the identified measurement is not applicable to the structure or feature identified.				
		Yard in which structure is permitted	Maximum projection into required yard	Minimum distance from lot line
a)	Bay, Box out and Bow Windows with or without foundations with a maximum width of 3m which may be a maximum of three storeys in height and which may include a door.	Front & flankage	0.6 m.	1.0 m. from the front lot line and flankage lot line
		All other yards	0.6 m.	0.6 m. from the lot line

b)	<i>Uncovered platforms 0.6m. or greater in height measured from surrounding grade and porches, including a balcony on top of a porch including vertical supports and a roof above and landings. However, any exterior stair required to provide access to an uncovered platform or porch shall be permitted to encroach into any required yard.</i>	Front	1.5 m.	1.0 m from the <i>front lot line</i> with exception of any exterior stair which may encroach to within 0.5m of the <i>front lot line</i> .
		Rear	2.5 m.	0.6 m. from the rear lot line
		Interior side	n/a	0.6 m. from the interior side lot line except: i. where the platform is designed to allow drainage to occur underneath in which case the minimum setback shall be 0 m.; and, ii. For townhouse units in which case it may be 0 m. from an interior lot line aligned along a common wall.
		Flankage	n/a	1.0 m. from the flankage with the exception of any exterior stair which may encroach to within 0.5 m. of the flankage
c)	<i>Uncovered platforms less than 0.6 m. in height measured from surrounding grade</i>	Front	1.5 m.	1.0 m. from the front lot line and flankage
		Interior side	n/a	0.6 m. from the interior side lot line except: i. where the platform is designed to allow drainage to occur underneath in which case the

				minimum setback shall be 0 m.; and, ii. For townhouse units in which case it may be over 0 m. from an interior lot line aligned along a common wall.
		All other yards	n/a	
d)	<i>Uncovered platforms</i> having a floor <i>height</i> equal to or greater than 3.0 m. measured from <i>grade</i> shall not apply.			

15.353.3	Definitions
The following definitions apply:	
“Accessory building or structure”	means a <i>building</i> or <i>structure</i> used for an accessory purpose, including a detached <i>private garage</i> , that is: a) located on the same <i>lot</i> as the primary <i>use, building, or structure</i> ; and, b) is not <i>used</i> for human habitation or an occupation for gain or profit unless otherwise permitted by this By-law. Accessory structures do not include driveways, walks, fences, retaining walls, or ornamental walls, noise walls, or masonry incidental to the main use of the premises, but do include parking pads.
“front wall”	means the closest point, measured at grade level, of the wall of a building facing or most nearly facing the street from which the building has its principal access.
“grade”	means the grade elevation measured at: iii. the centre point of the front lot line for interior lots; and, iv. the average of the elevations of the centre points of each lot line abutting a street for corner lots and through lots.
“height”	means, when the regulation establishes a specific dimension, the vertical distance between the established grade to the highest point of a structure when the regulation establishes height in storeys, means the number of storeys.
“landscape area”	means an area of land or on the roof of a private garage, parking structure or any other building, comprised of lawn, shrubs, trees, flowers, or other similar permeable surfaces and including fences and walls as part of the area, without access by vehicles (except emergency access by vehicles such as fire trucks or ambulances).
“lot frontage”	means the horizontal distance between the side lot lines of a lot measured at the minimum applicable front yard setback. Frontages shall be determined in a manner that is most compatible with the

	surrounding development where possible, otherwise the shorter boundary abutting a street shall be deemed to be the frontage.
“porch”	means a roofed gallery or portico structure attached to the exterior of a building. A basement may be located under the porch.
“porch, inset”	means a porch which is wholly or partially covered by the building rather than a roof.
“common yard”	means a front yard wherein the front wall is set back from the front lot line and there is no porch. The front yard created generally remains unfenced and is visually continuous with adjacent yards, supporting a common landscape.
“porch yard”	means a front yard wherein the front wall is set back from the front lot line with an attached porch permitted to encroach.
“inset porch yard”	means a front yard wherein the front wall is measured at the second storey and is set back from the front lot line. The second storey overhangs an attached inset porch which is permitted to encroach.

354	Part of Lots 28, 29 and 30, Concession 2	Parent Zone: MU1
Map 19(12)		(2015-xxx)
15.354.1 Special Site Provisions		
a)	The lot line abutting Street ‘A’ is deemed to be the front lot line.	
b)	For the purpose of calculating the required yards, lot area and frontage on a street, a publicly-owned 0.3 metre (one foot) reserve and the daylight triangles adjoining the lot shall be deemed to be part of the lot.	

3. This By-Law comes into force upon the day it is passed if no appeal is filed pursuant to subsection 34(19) of the Planning Act, R.S.O. 1990, c.P.13, as amended. Where one or more appeals have been filed under subsection 34(19) of the Planning Act, R.S.O. 1990, c.P.13, as amended, this By-Law comes into effect when all such appeals have been withdrawn or finally disposed of, whereupon the By-Law, except for those parts which are repealed or amended by the Ontario Municipal Board pursuant to subsection 34(26) and 34(3) of the Planning Act, R.S.O. 1990, c.P.13, as amended, shall be deemed to have come into force on the day it was passed.

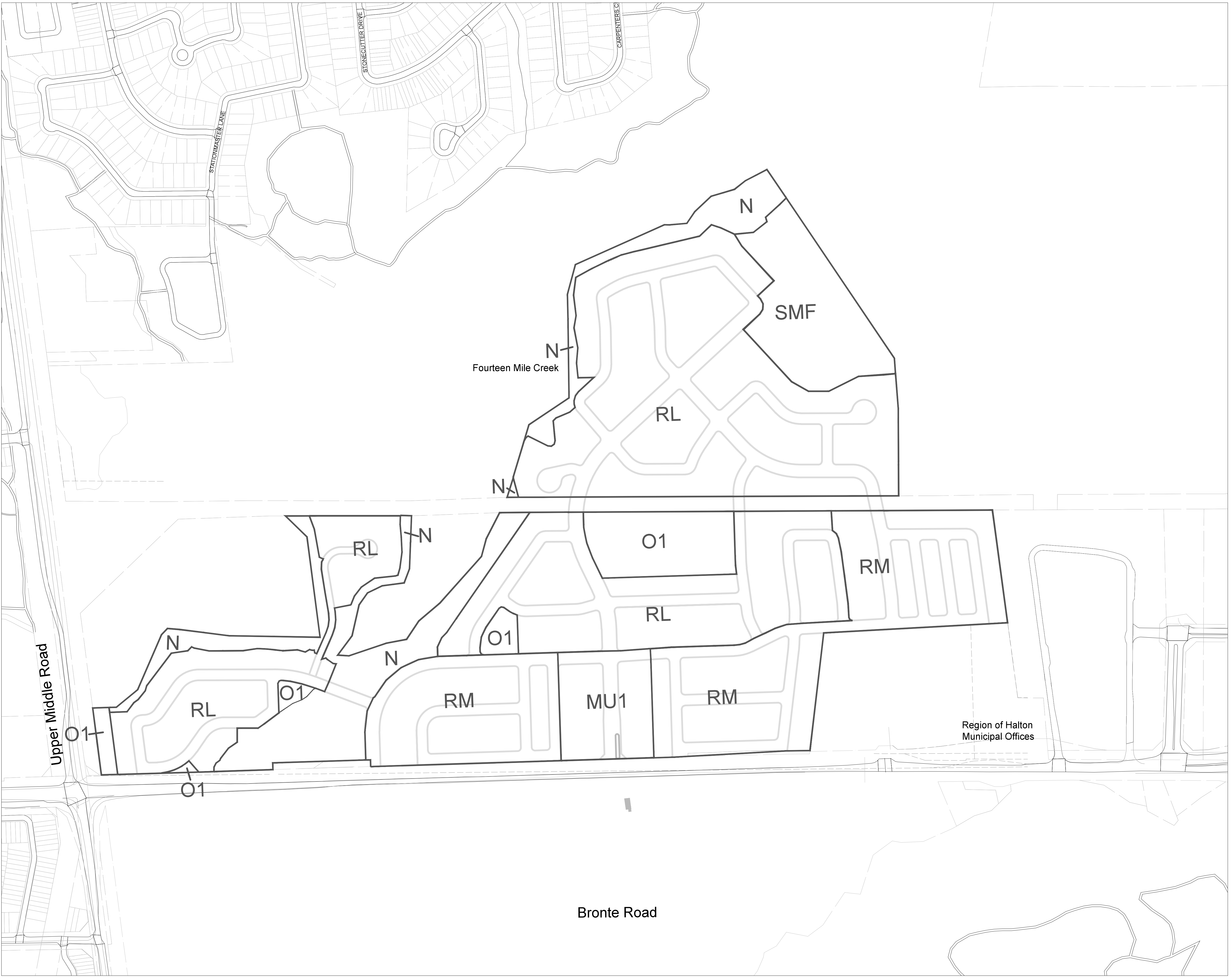
PASSED by Council this _____ day of _____, 2015

MAYOR

CLERK

SCHEDULE 'A'
TO BY-LAW 2015-_____

PROPOSED ZONING
BY-LAW AMENDMENT
(BY-LAW 2014-014)



SUBJECT LANDS

TO REZONE FROM "O2" TO
"RL", "RM", "MU1"
"O1", "N", and "SMF"
SUBJECT TO SPECIAL PROVISION
"AAA".

SCALE 1:5000 METRIC
10 0 20 40 60 80 100 metres