

**P A R T I****GENERAL PROVISIONS APPLYING TO ALL ZONES****1. SHORT TITLE**

This by-law may be cited as the Oakville Zoning By-Law.

**2. DEFINITIONS**

In this by-law, except where the context indicates to the contrary,

“**accessory building**” or “**structure**” means a building or structure used for an accessory purpose including a private garage but not used for human habitation;

“**accessory use**” means a use naturally or normally incidental to, subordinate to or exclusively devoted to a principal use and located within the same building as the principal use;

“**administrative offices**” means an administrative office use that is directly related and used in conjunction with the permitted use. Administrative office uses shall not exceed a floor area greater than 25% of the floor area of the permitted use. Where the administrative office exceeds the 25% limitation, it will be deemed to be a business and professional office;

“**adult entertainment establishment**” means any premises or part thereof used in the pursuance of a business, if

- a) Entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or
- b) Body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or
- c) Adult videos are sold, rented, or offered or displayed for sale or rental, where the

proportion of adult videos to other videos exceeds 1:10;

**“adult video”** means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both “restricted” and “adult sex film”, or any similar successor designation;

**“affected airshed”** means any area outside of the property boundaries of a proposed power generation facility where adverse effects (as defined in the PPS) may occur.

**“agriculture”** means lands and buildings used for arboriculture, horticulture, and animal husbandry, and “agricultural” has a similar meaning;

**“alternative energy system”** means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**“ancillary services”** means services necessary to maintain the reliability of the IESO-controlled grid, including frequency control, voltage control, reactive power and operating reserve services.

**“athletic facility”** means an arena, building, or part of a building, equipped for the conduct of sports or physical exercise;

**“automobile related use”** means new and used automobile, recreational vehicle, motorcycle and truck dealerships, service stations, public garages for vehicles and motorized snow vehicles, auto inspection and insurance appraisal, auto, truck and trailer rental and leasing and automotive specialty and service shops related to mufflers, shock absorbers, transmissions, radiators, tires, brakes, alignment, glass, radios, diagnostics, electrics, upholstery, washing, polishing, cleaning, air conditioning and rust-proofing;

**“automobile service station”** means a retail place of business where all activities are related or incidental to the prime function of selling automotive fuels and products with or without the provision of repair service and maintenance to motor vehicles, but shall not include a motor vehicle dealership or sales lot or a public garage or an automotive body repair shop;

**“balcony”** means an attached platform projecting from the face of a wall which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade;

**“bed and breakfast establishment”** means the provision of lodging with or without meals for the traveling public within a detached dwelling, provided that:

- i) The minimum lot frontage is 12m;
- ii) A maximum of two rooms or two suites not exceeding in total 25% of the gross floor area of the detached dwelling shall be used for the purposes of lodging for the traveling public;
- iii) There shall be no kitchen facilities for the exclusive use of the traveling public lodging at the bed and breakfast establishment;
- iv) The bed and breakfast establishment shall be operated by a person or persons whose principal residence is the detached dwellings; and,
- v) There shall be one additional off-street parking space for each room used for the purposes of lodging for the traveling public in addition to the required parking for the detached dwellings;

**“buffer strip”** means a strip of land with landscaping as specified elsewhere in the by-law;

**“building height”** means the vertical distance between the established grade; and

- i) The highest point of a flat roof including any parapets, or
- ii) The deck line of a mansard roof, or
- iii) The mean height between the eaves and ridge of a gabled, hip, or gambrel roof;

**“business and professional offices”** means a building, or part of a building, designed or used for the practice of a profession, the conduct of the office operations of a business, public or government administration, but does not include a medical office or administrative office;

**“car compound”** means a parcel of land used only for the temporary storage of damaged or impounded motor vehicles;

**“cemetery”** means the lands used or intended to be used for the interment of human remains and may include a crematorium, mausoleum and a columbarium;

**“church organization”** means a religious association or corporation which maintains a place for regular worship;

**“cogeneration”** also known as combined heat and power means the generation of electricity or mechanical power and thermal energy (heating or cooling) produced from one fuel source in the same facility.

**“cogeneration facility”** means a building or structure or parts thereof used for *cogeneration*.

**“commercial residential”** means a form of mixed-use or live-work structure that has a commercial component and a residential component consisting of:

- a) **“Combined commercial residential”**: A structure where the commercial and residential components are accessed by entirely separate entrances; or
- b) **“Connected commercial residential”**: A multiple attached dwelling where the ground floor is used exclusively for commercial purposes and where the commercial and residential components are accessed by a common internal entrance;

**“commercial school”** means premises where instruction of a skill is provided for the purpose of profit which may include but is not limited to, a cooking school, a computer school, a dancing school, a driving school, a tutoring service or a music school;

**“commercial vehicle”** means a motor vehicle having permanently attached thereto a truck or delivery body and includes ambulances, hearses, casket wagons, fire apparatus, buses and tractors used for hauling purposes on the highways;

**“community centre”** means a multi-purpose facility owned and operated by the Town of Oakville, which offers a variety of programs of a recreational, cultural, community service, information or instructional nature and other uses authorized through an agreement with the Town;

**“conservation project”** means a conservation project as defined in The Conservation Authorities Act;

**“courtyard”** means a private landscaped outdoor living space surrounded by walls or fences;

**“day care”** - means:

- a) Indoor and outdoor premises licensed pursuant to the Day Nurseries Act which offers or supplies on a regular schedule, care to 5 or more children for a portion of a day and more often than once a week; or,

- b) Indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation;

**“day nursery”** means a day nursery licensed pursuant to the appropriate Provincial Legislation;

**“department store”** means a store organized into a number of individual departments selling a great variety of merchandise including men’s and women’s clothing and home furnishings;

**“deck”** means an uncovered platform as defined in this by-law;

**“designated parking space”** means a parking space designated for the disabled by signage for the sole use of vehicles on which a permit as defined in By-Law 1984-81 is properly displayed, which space has a minimum width of 3.65 metres and a minimum length of 6 metres and is located as close as practical to the principal entrance or entrances of the building or buildings with ramps and curb cuts where necessary;

**“district energy”** means the production of thermal energy (heating or cooling) with or without cogeneration that is distributed to users at a community scale.

**“district energy facility”** means a centrally located facility or linked facilities including pipeline distribution system for the production and distribution of district energy.

**“domestic art”** means an avocation that can be carried on at home, such as dressmaking or painting, which may provide remuneration, but does not include commercial photography;

**“drive”** or **“driveway”** means a vehicle access provided between a street or lane and a parking space, parking area or loading area, or between two parking areas and shall be constructed and maintained with a stable dustless surface;

**“drive-through facility”** means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses. A drive-through facility does not include a car washing establishment, automobile service station or a gas bar.

**“dwelling”** means a place of residence, but does not include a hotel or motel, or a building used for institutional purposes such as an orphanage, nursing home, or boarding school, and

- a) **“apartment dwelling”**, **“apartment house”** or **“apartment”** means a building containing 3 or more dwelling units with a shared entrance which is not a multiple-attached dwelling;
- b) **“converted dwelling”** means a detached dwelling which has been altered so that it contains more than one dwelling unit;
- c) **“maisonette dwelling”** or **“maisonette”** means a building containing dwelling units to each of which access is gained through a common entrance-hall, but each of which may have private access to a lawn or garden;
- d) **“multiple-attached dwelling”** means a building or structure containing three or more non-communicating dwelling units, each having private accesses and designed for the use of one family or person as a single non-profit housekeeping unit, which dwellings are divided horizontally by a vertical wall above grade by a party wall at least 3.0m in length and at least 2.0m in height, forming part of the dwelling or an attached garage;
- e) **“semi-detached dwelling”** means a building or structure containing two non-communicating dwellings each having private accesses and designed for the use of one family or person as a single non-profit housekeeping unit, which dwellings are divided horizontally by a vertical wall above grade by a party wall, at least 3.0m in length and at least 2.0m in height, forming part of the dwelling or an attached garage;
- f) **“detached dwelling”** means a separate building occupied or designed to be occupied by one or more persons as a single non-profit housekeeping dwelling unit, including domestic servants and non-paying guests;
- g) **“dwelling unit”** means one or more habitable rooms designed for use by, containing separate kitchen and bathroom facilities for the private use of, one family or person as a single non-profit housekeeping unit;
- h) **“duplex dwelling”** means a residential dwelling divided horizontally into 2 dwelling units, each having a separate entrance either directly or through a common entrance hall;

**“dwelling depth”** means the maximum horizontal distance between any portion of a dwelling facing the front lot line, to any portion of the dwelling facing the rear lot line, excluding projections which are specifically permitted to project into required yards under this By-law, and excluding open porches, with no basements, which may be covered by a roof;

**“established 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;

**“financial institution”** means a business where money is deposited, withdrawn, kept, lent or exchanged, and may include a drive-through facility;

**“floor area”**

- a) For a dwelling within any zone other than a R01 zone, the area contained within the outside walls or outside finished furred partitions of the walls, does not include a private garage, porch, verandah, non-walk-in bay windows, stair well, elevator, attic, or basement,
- b) For a dwelling within a R01 zone, the area contained within the outside walls or outside finished furred partitions of the walls, subject to the following:
  - (i) Does not include a private garage, porch, verandah, non walk-in bay windows, elevator, attic, or basement, and
  - (ii) Where any portion of the floor area on the first or second storey including stairwells, which have a height measured from floor to ceiling greater than 4.5m, the floor area for that portion of the floor area with a height in excess of 4.5m, shall be calculated at twice the floor area requirements, and
- c) For any other building means the total area of all floors of a building within the outside walls or outside finished furred partitions of the walls, but does not include a porch, non-walk-in bay window, attic, basement, enclosed or roofed walkways or loading dock;

**“floor area/lot ratio”** It is obtained by dividing the floor area of the building by the area of the site (lot) on which the building is erected and expressed as a percentage.

$$FA/Lot Area (\%) = Floor Area/Site Area \times 100.$$

**“food store”** means a building where food is sold to the public but does not include a restaurant, a drive-in eating establishment or a take-out eating establishment;

**“front wall”** means the wall of a building facing or most nearly facing the street from which the building has its principal access;

**“funeral home”** means a building, or part of a building, used for the purpose of furnishing funeral supplies or services to the public and includes facilities intended for the preparation of the human body for internment or cremation;

**“garbage container”** means a bin, with or without a lid, greater than one cubic metre in volume used to store garbage and refuse temporarily. This definition excludes a container used for a construction or demolition project for which a valid building or demolition permit has been issued;

**“garbage container enclosure”** means a solid opaque wall or fence in a material of concrete block, brick, wood, stucco, or metal, with a gate, that screens a garbage container. This definition excludes the garbage enclosures as described in Schedule ‘A’ to By-law 1980-159;

**“general industrial operations” means:**

- a) Heavy manufacturing, refining, repair, fabricating, processing operations, servicing, packaging and warehousing; and
- b) Bulk storage of fuels and aggregates.

**“general provisions”** when used in Section 89 of By-Law 1984-63 does not refer to Part 1 of the said By-Law 1984-63 but means rather all provisions of By-Law 1984-63 except those of Section 89;

**“governmental authority”** means the Government of Canada or the Province of Ontario or any public board or commission established by either, or the Corporation of the Regional Municipality of Halton or the Corporation of the Town of Oakville or any local board as defined in the Municipal Affairs Act, and includes privately-owned corporations having a right to supply a utility to any part of the Town of Oakville by pipes, wires or other conduits in or over the highways, such as a telephone service or a gas or domestic fuel oil distribution system, and includes a hospital as defined in The Public Hospitals Act;

**“group home”** includes a home that is licensed or approved by the Province of Ontario and consists of a single housekeeping unit in a residential dwelling with 6 to 10 residents (excluding staff or receiving family) living as a family under responsible supervision consistent with the requirements of its residents but shall not include:

- a) Shared accommodation licensed or approved under provincial statute for 5 or fewer residents;
- b) Foster home as defined by provincial statute;



- c) Group homes and shared accommodation exclusively for adult offenders (Community Resource Centres) approved by the Ministry of Correctional Services, half way houses exclusively for adult ex-offenders approved by the Provincial government;

**“highway corridor”** means certain lands adjacent to the QEW and Highway 403 freeways, and associated service roads and adjacent roads, and as set out on the map schedules to this By-law;

**“hospice”** means a residential facility for the palliative care of persons diagnosed as terminally ill by a physician currently registered to practice medicine in Ontario;

**“hotel”** means a building, or group of buildings, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. Hotel may also include service commercial and retail uses which are incidental and subordinate to the primary hotel function, oriented to serve the hotel patrons, and which in combination or not, do not exceed 10% of the floor area of the main hotel use;

**“hotel ancillary uses”** means trade shows, sample rooms, exhibitions and conventions, and retail sales incidental thereto including auctions, solicitation of orders and the sale of jewellery, art, artifacts, antiques, tapestries, rugs, coins, stamps and the like, within a hotel;

**“landscaping”** or **“landscaped area”** means an area of land, or the roof of a parking structure not more than 1.4 m above ground, comprising lawn, shrubs, trees, flowers, and paving slabs or other similar textured surfaces, without access by vehicles (except emergency access by vehicles such as fire trucks or ambulances) with

- a) Not less than 20% of its area capable of supporting the growth of and planted with grass, and with shrubs or trees that can attain a normal growth of up to 0.9m, and
- b) In addition not less than 10% of its area capable of supporting the growth of and planted with grass and with trees that can attain a normal growth of not less than 4.5m at a density of not less than 6 trees for each 93m<sup>2</sup>;

**“large scale retail sale of merchandise”** means a use, having a minimum floor area of 370m<sup>2</sup>, where merchandise is offered or kept for sale directly to the public;

**“leaseable floor area”** means the aggregate area of the building or buildings contained within the outside walls less the area of malls, stairs, elevators, escalators, ventilating shafts and common areas such as mechanical rooms;

**“less restricted”** means the zone in which the requirements for building lot size and yards are the lesser, when used to distinguish zones of the same category;

**“light industrial operations”** means:

- a) Light manufacturing, fabricating, processing, repair, servicing, packaging and warehousing of products or materials; and
- b) Propane transfer facility for the use of the owner or tenant of the lands;

**“limited retail”** means a retail sales, rental or display area for goods manufactured, assembled or warehoused on the premises, located on the same lot, and contained within the same unit as the permitted use, provided that:

- a) The sales area is separated from the warehousing, storage, manufacturing or assembly area by a wall at least 2m in height; and
- b) There is no display of goods or retail sales within the warehousing, storage, manufacturing or assembly area; and
- c) The sales area does not occupy more than 40% of the area for warehousing, storage, manufacturing or assembly and the sales area is not greater than a 1000m<sup>2</sup>; and
- d) The calculation of the area for warehousing, storage, manufacturing or assembly area shall exclude offices and common areas such as stairs, mechanical rooms and washrooms;
- e) must be located on the first storey;

**“loading dock”** means an area or space directly adjacent to a building or unit, for the purpose of loading and unloading vehicles through a loading door, in conjunction with a permitted use on the same lot provided that:

- a) Each loading dock shall have a minimum length of 9 metres;
- b) Unobstructed access to a loading dock must be provided from an aisle or lane that leads directly to a public street; and

A loading dock does not include a door that only permits access of a vehicle into the building;

**“lodging house”** means a building or structure or any portion thereof in which persons are harbored, received or lodged for hire, directly or indirectly, with or without meals, but does not include Bed & Breakfasts, Hotels, Hospices, Group Homes, Shared Accommodations, or Special Care/ Special Need dwellings as defined in Section 2 and Special Provision 89(679);

**“lodging unit”** means a room provided for hire, which is used or designed to be used as a sleeping accommodation;

**“lot”** means a parcel of land owned by one person or one group of persons which meets the requirements of this by-law having regard to the use to which it is put or the use to which it is proposed to be put or, if it does not meet the requirements of this by-law, is the entire holding of that one person or one group of persons put to that use at the date of the passing of this by-law or, is a parcel of land which has been legally excused from meeting the requirements of this by-law, and

- a) **“lot area”** means the total horizontal area of a lot, less:
- i) The horizontal area of any part of the lot which, before filling or grading, is covered by water or marsh,
  - ii) The horizontal area of any part of the lot which does not lie within a zone in which the proposed use is permitted,
  - iii) In the case of a lot which slopes down to a water course, river or lake, the horizontal area of that part of the lot which, before filling or grading, lies between the line established as hereinafter set out, and the high watermark of the water course, river or lake as established by an Ontario Land Surveyor. The line to which reference is hereinbefore made shall be established as follows: A series of profiles along the face of the slope at right angles to the general contour shall be measured and plotted, and 1.5m vertical intervals with the first at the high water mark shall be marked along each profile. The interval between profiles shall be such as to fairly indicate the general character of the slope but shall in no event be greater than 15m. On each profile the 1.5m vertical interval farthest from the high water mark below which the average slope exceeds 35% for a vertical distance of 6m shall be indicated and the line shall be the series of straight lines joining the points so indicated;

Note: Where reference is made in clause (a) of subsection (30) to filling and grading it shall be deemed to be filling or grading done after April 1, 1971.

- b) “**lot coverage**” means the total horizontal area of that part of the lot area covered by all buildings above ground level excluding eave projections to a maximum of 0.6m;
- c) “**lot frontage**” means the horizontal distance between the side lot lines of a lot measured 7.5m back from the front lot line and parallel to it, provided that where the street upon which a lot fronts is less than the width required by Section 14 (3), lot frontage shall be measured 7.5m back from a line parallel to the lot line but distant one-half of the required road width from the middle of the street;
- d) “**front lot line**” means the line which separates a lot from the street in front of it;
- e) “**rear lot line**” means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, as in the case of a triangular lot, the rear lot line shall be represented by the point of intersection;
- f) “**side lot line**” means a limit of a lot other than the front or rear lot line, but where the side of a lot adjoins a street, for the purpose of calculating required distances from the side lot line where the street is less than the width required by Section 14 (3), the side lot line shall be deemed to be located one-half of the required street width from the middle of the street and parallel to the actual line between the lot and the street;
- g) “**flankage**” means the side lot line of a corner lot adjoining the street;
- h) “**corner lot**” means a lot situated at the intersection of 2 or more streets or upon 2 parts of the same street having an angle of intersection not exceeding 135 degrees;
- i) “**interior lot**” means a lot other than a corner lot or key lot;
- j) “**key lot**” means the first lot to the rear of a reversed corner lot that is not separated from the reversed corner lot by a public lane;
- k) “**reversed corner lot**” means a corner lot one side lot line of which is substantially the continuation of the front lot line of the lot to its rear;
- l) “**through lot**” means a lot other than a corner lot having separate limits on 2 streets;
- m) “**lot depth**” means the shortest distance between the front lot line and rear lot

line;

- n) **“rear lot width”** means the shortest distance between the intersection of the 2 side lot lines and the rear lot line;

**“main roads”** means Burloak Drive, Regional Road 25, Bronte Road, Third Line, Fourth Line, Dorval Drive, Trafalgar Road, Eighth Line, Ninth Line, Cornwall Road, Winston Churchill Boulevard, Royal Windsor Drive, and Regional Road 5;

**“medical offices”** means a building, or part of a building, designed and used for the diagnosis, examination, and treatment of human patients, including pharmacies and dispensaries which are limited to a maximum of 50m<sup>2</sup> in floor area, waiting rooms, treatment rooms, blood testing clinics, but shall not include overnight accommodation for in-patient care;

**“mobile businesses”** means a commercial or industrial operation including a refreshment operation which is established at a location on a temporary basis and which may change location from time to time through the use of motorized transportation and which is not located in a permanent building or structure. Mobile businesses do not include the delivery of goods and services which have been pre-arranged;

**“motor hotel ancillary uses”** means trade shows, sample rooms, exhibitions and conventions, and retail sales incidental thereto including auctions, solicitation or orders and the sale of jewellery, art, artifacts, antiques, tapestries, rugs, coins, stamps and the like, within a motor hotel;

**“multiple occupancy use commercial and industrial building”** means a building which is occupied by more than 2 tenants, businesses or uses;

**“neighbourhood store”** means a store that serves the daily and weekly shopping and service commercial needs of a neighbourhood and may include such uses as a variety store, drug store and movie and video rental store;

**“nightclub”** means an establishment or part thereof having a capacity to accommodate no more than 1000 persons at a time, whose principal function is the provision of pre-recorded or live music for dancing by patrons and where food or beverages may be served, and where the dance floor is greater than 50m<sup>2</sup>;

**“outdoor patio”** means an outdoor eating area used only on a seasonal basis in

conjunction with a drive-in eating establishment, a restaurant, or take-out eating establishment, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is located entirely within the owner's property limits;

**“outdoor space”** means a single recreation area located in one of a dwelling unit's yards adjacent to and directly accessible from the unit, for the exclusive use of the occupants of the unit;

**“outside processing”** means processing, manufacture, or repair conducted outside;

**“outside storage”** means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperable vehicles;

**“overall height”** means the vertical distance between the established grade to the highest point of a structure excluding chimneys;

**“parking area”** means an area for the temporary parking of motor vehicles either in the open or in a structure and consisting of parking spaces, aisles, and access lanes;

**“parking areas – heavy vehicles”** means temporary parking for trucks, tractors and commercial vehicles exceeding a gross weight of 4500kg., as licensed with the Ministry of Transportation;

**“parking space”** means a rectangular space with a minimum total area of 16.2m<sup>2</sup> and with a minimum width of 2.7m and a minimum depth of 5.5m;

**“passenger vehicle”** means a vehicle designed to be used for the private transport of passengers but shall not include a commercial vehicle exceeding a gross weight of 3000kg or a vehicle which has been converted to meet the minimum licensing requirements of the Ministry of Transportation for a passenger vehicle;

**“patio”** means an outdoor patio, sidewalk patio, terrace or rooftop patio and patios within shopping malls;

**“patios within shopping malls”** means an area used on a seasonal or year round basis in conjunction with a drive-in eating establishment, a restaurant or take-out eating establishment, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is

located entirely within the outside walls of the mall;

**“personal recreation space”** means recreation space outside a building located adjacent to and directly accessible from a dwelling unit, which is provided for the exclusive use of the occupants of the dwelling unit, and includes a private patio, courtyard, garden terrace or balcony;

**“pet grooming establishment”** means a premise used for the grooming of domestic animals, but does not include a veterinary clinic or boarding kennel;

**“places of amusement-commercial”** means a building, room or area which is devoted to the offering of facilities for the play of any game of chance or any game of mixed chance and skill not contrary to The Criminal Code of Canada, for the amusement of the public, but does not include premises in which the only amusement facilities offered are pool tables, billiard tables, bowling alleys and bingo halls, and

a) **“ancillary use”** when used to refer to a place of amusement means a place of amusement operated in conjunction with and in the same building as a permitted use and which provides facilities for play by a maximum of two players at any one time;

**“place of amusement – employment”** means a building, or part of a building which is devoted to the offering of facilities for the play of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys, electronic games; and “ancillary use” when used to refer to a place of amusement means a place of amusement operated in conjunction with and in the same building as a permitted use and which provides facilities for play of electronic games by a maximum of two players at any one time;

**“Planning Community”** means each of the Planning Communities as identified on Figure 1 in Section 16;

**“power generation facility”** means a facility for generating electricity and includes a cogeneration facility, an ancillary service to power generation, and includes any structures, equipment or other things used for those purposes.

**“private garage”** means an accessory building or structure or a portion of a dwelling, designed or primarily used for the parking of private motor, commercial and/or recreational vehicles with a minimum area of 16.7m<sup>2</sup> and an access door greater than 1.5m in width and includes carports and porte cocheres;

**“private-home day care”** means the temporary care and custody for reward or compensation of children as hereinafter described and limited in a dwelling which is not the residence of a parent or guardian of any of them for a continuous period not exceeding 24 hours:

- a) In a detached, semi-detached, maisonette or multiple attached dwelling - not more than 5 children under the age of 10 years including not more than 2 children under the age of 2 years or not more than 3 children under the age of 3 years;
- b) In an apartment dwelling - not more than 2 children under the age of 2 years and a total of not more than 3 children under the age of 5 years;

**“private school”** means a place of instruction (excepting a commercially operated trade or vocational school) offering courses equivalent to those customarily offered in a place of instruction maintained and operated under the jurisdiction of a government authority where instruction is given and includes residence buildings for staff and students, provided that such buildings are on the same lot as the place of instruction;

**“public authority”** means governmental authority;

**“public garage”** means any land or place where motor vehicles are hired or kept or used for hire or a building used as a motor vehicle repair shop or for washing or cleaning motor vehicles but shall not include an automobile service station, an automobile body repair shop or a motor vehicle dealership or sales lot;

**“public hall”** means a building, or a part of a building, used for the purpose of holding banquets, bingos, weddings, receptions or other similar functions for which food and beverages may be prepared and served;

**“public parking lot”** means an open area other than the street, used for the temporary parking of motor vehicles and available for public use whether free, for compensation, or as an accommodation for clients or customers;

**“public school”** means a place of instruction maintained and operated under the jurisdiction of a governmental authority;

**“railway siding”** means the use of land, or a building or structure, or part thereof, for activities directly associated with the operation of a railway, including loading and unloading freight, and the maintenance and repair of railway cars, but does not include tracks for the marshalling or storage of railway cars;



**“recreational vehicle”** means a vehicle designed to be used primarily for travel, recreation or vacationing, which may be designed to be towed or propelled by a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, truck camper, motor homes, boats, snowmobiles or other similar vehicles but does not include a mobile home;

**“renewable energy system”** means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

**“residential”** means designed, adapted or used as a home or residence for a family or household, and includes buildings designed or used as a home for a number of families or households;

**“restaurant”** means an establishment or part thereof that is engaged in providing meals or refreshments to order for take-out or for consumption on the premises within a building and which may include table service on an ancillary exterior patio, walk, deck or verandah. A restaurant may serve beverages and may include a dance floor of less than 50m<sup>2</sup>;

**“restaurant take-out”** means an establishment of which any significant part of the business is the providing of refreshments or meals to order to be picked up or to be consumed elsewhere;

**“retail”** means the sale of commodities to the consumer or end user;

**“retail sales warehouse”** means a building or structure or part thereof where merchandise is warehoused or stored on the premises and where a portion of the building or structure is used for offering such merchandise for sale directly to the public;

**“rural commercial use”** means a dairy, farm, feed and garden supply store, general store, or farm equipment dealer;

**“sensitive land use”** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**“separation distance”** means the shortest distance between buildings on abutting lots,

excluding sills, belt courses, cornices, chimneys, coves, pilasters or gutters;

**“service establishment – employment”** means:

- a) A non retail establishment for servicing, repairing or installing items and equipment, such as a radio, television or computer service or repair shop, a locksmith shop, an appliance service or repair shop, but excluding any service, maintenance and repair of automotive vehicles and marine craft; or
- b) A non retail establishment for renting of equipment, a taxi dispatch service or a printing establishment;

**“service establishment – commercial”** means:

- a) A non retail business associated with the grooming of persons, such as a barber or beauty salon or the maintenance or repair of personal wardrobe articles and accessories;
- b) A professional studio such as that of a photographer, artist or interior designer;
- c) A non retail business associated with the operation and maintenance of a home or office such as a photo processing shop, a private mail box service, a small appliance repair shop, a catering service, or a maid or janitorial service, with a maximum floorspace of 250m<sup>2</sup>; or
- d) Funeral home, veterinary clinic;

**“service shop”** means a shop, whether conducted in conjunction with a retail store or not, for the servicing or repair of articles excluding any repairs or services to motor vehicles;

**“service station”** means an automobile service station;

**“shared accommodation”** means a dwelling that is licensed or approved under Provincial statute for 5 or fewer residents;

**“sidewalk patio”** means an outdoor area used only on a seasonal basis in conjunction with a drive-in eating establishment, a restaurant, or take-out eating establishment, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is located partly or wholly on the Town’s property pursuant to a valid and subsisting encroachment agreement or lease, or license as the Town deems appropriate;

“**stacking lane**” means a continuous on-site queuing lane that includes stacking tandem spaces for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs;

“**storey**” means that portion of a building which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of such floor and the ceiling above it;

“**storey, one and one half**” means a detached dwelling which includes floor area above the first floor and any attached garage that is located partially or wholly within a sloping roof and having a floor area of not more than 50% of the floor area of the first storey and any attached garage. For the purposes of this definition the first storey means the storey with its floor closest to grade and having its ceiling more than 1.8m (5ft 11in) above grade;

“**street**” means a public highway;

“**structure**” means anything that is erected, built or constructed of parts joined together;

“**tandem parking**” means one parking space located immediately behind another parking space where both spaces are for the exclusive use of one dwelling unit;

“**terrace or rooftop patio**” means an outdoor area located a minimum 1.8m above grade and used only on a seasonal basis in conjunction with a drive-in eating establishment, a restaurant, or take-out eating establishment, where seating accommodation is provided and where meals or refreshments are served to the public for consumption on the premises and which is located entirely within the owner’s property limits;

“**trailer**” means a vehicle designed to be towed by a motor vehicle for the purpose of transporting or storage of goods, materials and equipment, including boat and snowmobile trailers;

“**transportation terminal**” means the use of land for the purpose of storing, parking or dispatching of buses, trucks, tractors or trailers, including servicing or repair within an enclosed building;

“**uncovered platform**” means an attached or freestanding uncovered platform or series of platforms, excluding any landing or stairs, which is constructed above grade, and which is located on the same level as or lower than the first storey of the building in which the dwelling unit is located;

**“unsightly storage”** means the storage outside of goods or materials

- a) That by their nature cannot be stored neatly, such as salvaged vehicles, machinery or building materials, or piles of sand, gravel, or coal, and
- b) Except in an organized manner, neatly stacked, cribbed, or racked or in the case of new vehicles, concentrated in orderly lines, and
- c) Except in a rear yard, and screened from the street by a decorative wall, fence, or hedge;

**“use”** means the purpose for which a lot or a building or structure is arranged, designed, or intended or for which either building or land or structure is or may be occupied or maintained; and use or used as a verbal expression means the doing or permitting of anything by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant, for the purpose of making use of the land, building or structure;

**“vehicle”** means a car, truck, trailer, recreational vehicle including boats, van, motorcycle, snowmobile, or any other vehicle required to be licensed;

**“vehicle dealership”** means the selling or leasing of vehicles, including the outside storage of inventory vehicles, and may include a vehicle repair facility within an enclosed building;

**“vehicle repair facility”** means any building, or part of a building, equipped with facilities for the service, maintenance and repair of vehicles, which may include auto body repair facilities within an enclosed building, or a car wash facility which may be a drive thru;

**“vehicle storage compound”** means a parcel of land used for the temporary storage of damaged or impounded vehicles, with

- a) A dustless surface,
- b) Enclosed by a solid wooden fence or masonry wall of not less than 2.5m in height,
- c) No closer than 15m to any public street, with all service vehicles are parked only within such enclosure, and
- d) All compounded vehicles to be stored in orderly rows;

“**veterinary clinic**” includes an Animal Hospital, an Animal Clinic or an Animal Medical Centre and means a facility directed by a veterinarian or group of veterinarians to supply examination, diagnostic and prophylactic services, medical and surgical treatment and includes the overnight care of animals supervised by a licensed veterinarian within enclosed buildings in accordance with recognized veterinary standards, but does not include a boarding kennel unless otherwise permitted;

“**vocational school**” means a vocational school as defined by the Private Vocational Schools Act;

“**warehouse**” means a building, or part of a building, used for the storage and distribution of goods, wares, merchandise, substances or articles, excluding waste;

“**waste**” means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process;

“**waste hazardous**” means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance;

“**waste processing station**” means a facility within an enclosed building whose primary purpose is the sorting and processing of waste to create a new product or raw material on site;

“**waste – transfer station**” means a facility within an enclosed building whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards;

“**wholesale**” means the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business even if the said trade or business is the consumer or end user of the commodity; and

“**yard**” means any open, uncovered, unoccupied space appurtenant to a building, and in determining yard measurement the minimum horizontal measurement shall be used, and

- a) “**flankage yard**” means a side yard adjoining the street on a corner lot;
- b) “**front yard**” means a yard extending across the full width of the lot between the front lot line and the nearest part of any building on the lot;
- c) “**rear yard**” means a yard extending across the full width of the lot between the rear lot line and the nearest part of any building on the lot;
- d) “**required yard**” means the minimum yard required by By-law 1984-63, as amended, and;
- e) “**side yard**” means a yard extending from the front yard to the rear yard between the side lot line and the nearest part of a building on the lot.

### 3. **ADMINISTRATION**

- 1) This by-law shall be administered by a person appointed by the Council as the Zoning Administrator.
- 2) Where the Zoning Administrator has reason to believe that any person has used land or erected or used a building or structure contrary to this by-law, he or any employee of the Town authorized by him may at any reasonable hour enter and inspect the land, building or structure.

### 4. **CERTIFICATES OF OCCUPANCY (Zoning Certificates)**

- 1) No person shall make a 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 as described in the Planning Act,
- 2) No certificate of occupancy shall be refused if the proposed use is not prohibited by the by-law.
- 3) No charge shall be made for a certificate of occupancy.

### 5. **PENALTIES**

As stated in the Planning Act.

### 6. **APPLICATION**

This by-law applies to the whole of the Town of Oakville.

**7. MISCELLANEOUS**

- 1) By-Law Number 1965-136 of the Town of Oakville is repealed insofar as it affects the lands within the Town of Oakville except for:
  - a) Those lands noted in Section 89 (401) of By-Law 1984-63 and designated on the maps in Section 91(8) by the number (401) where the provisions contained By-Law 1965-136 and its amendments thereto shall continue to apply.

**8. BOUNDARIES**

Where the boundary of a zone is shown in Part VII

- 1) As following a street, lane, railway, right of way, transmission line or watercourse, the centre line of the street, lane, railway, right of way, transmission line or watercourse is the boundary;
- 2) As following lot lines shown on a registered plan of subdivision the lot lines are the boundary;
- 3) As dividing a lot into more than one zone, each portion of the lot shall comply with the applicable provisions of the zone in which it is situated. The zoning boundary shall be the limit from which the zoning regulations apply;

**9. PROHIBITIONS**

- 1) No person shall use any land or erect or use any building or structure within a zone shown in Part VII except for a purpose permitted, and in accordance with the regulations provided, by this by-law for the zone in which it is located.
- 2) No person 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 those requirements initially so that it is further from meeting them.
- 3) Subject to Section 13 (1), no person shall establish a parcel of land which does not abut a street or comply with the provisions of this by-law.

- 4) Notwithstanding Subsection 9(5) where in this by-law a detached dwelling is included among the permitted uses in a zone, no person shall erect or use more than one detached dwelling on a lot. Notwithstanding the foregoing, where a signed subdivision agreement is in place, more than one detached dwelling may be constructed on a site prior to registration of the plan of subdivision subject to the following restrictions:
- i) The dwelling units shall be used for the purpose of model homes only and shall not be occupied prior to the date of the registration of the subdivision agreement;
  - ii) The number of lots used for model homes shall not exceed 10% of the number of draft approved lots for the plan of subdivision, however in no circumstance shall the number of lots used for model homes exceed 20 lots;
  - iii) Compliance with all other provisions of this by-law, as though the dwellings were constructed on lots within a registered plan of subdivision, and
  - iv) The permission granted and all applicable terms and conditions in the said subdivision agreement.
- 5) No buildings or structures may be erected, used or occupied unless:
- i) The requirements for service connections as defined by the Ontario Building Code have been granted by the Region of Halton or the appropriate approval authority;
  - ii)
    - a) The municipal urban road standard of base course asphalt is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road; or
    - b) For lots serviced by a private road or lane and deemed to be a public road elsewhere in the By-law or for lots serviced by a private road or lane that existed on May 9, 2005, the existing road standard is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road; or



- c) For lots of record that existed on May 9, 2005, not meeting the requirements of (a) and (b) above, the existing municipal road standard is provided adjacent to the frontage of the lot or connecting the lot to an assumed municipal road;
- iii) The stormwater management facilities are constructed and operational to service the lot;
- iv) All other underground services required to be installed pursuant to i) and ii) are constructed and operational to service the lot.

#### **10. NEED FOR COMPLIANCE AND PERMISSION**

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

#### **11. NON-CONFORMING USES**

- 1) Subject, to subsection 11(2), no existing lot, building or structure shall be deemed to have come into contravention with the any regulations and/or provisions of this by-law by reason of the fact that any part or parts of any lot has or have been conveyed to or acquired by the Town of Oakville, the Regional Municipality of Halton or the Province of Ontario.
- 2) Where the conveyance of any part or parts of the lot to the Town of Oakville, Region of Halton or Province of Ontario is required as a condition of an approval required for the creation of the lot, or the construction of the building or structure, the lot, building or structure shall not be exempt from the lot frontage, lot area or yard provisions of this by-law regardless of the timing of such conveyance.
- 3) Nothing in By-Law 1984-63 including specifically Section 9 precludes the creation of blocks in new plans of subdivision which blocks do not qualify as lots having regard to the zoning to which they are subject, but such blocks, until they are combined with additional land so as to qualify as lots, shall be used for the purpose of horticulture only and no building or structure may be erected thereon.

#### **12. SPECIAL USES PERMITTED**

- 1) Nothing in this by-law prevents the use of land or the use or erection of a building or structure for the following purposes, and the yard requirements shall not apply to:
- a) A lawful fence,
  - b) A scaffold or other temporary building or structure including a sales or rental office incidental to construction in progress on the property, at a location designated by the Zoning Administrator, until the work has been finished or discontinued for 60 days,
  - c) An authorized traffic sign or signal,
  - d) A public election list or proclamation by public authority,
  - e) Drives, walks, retaining walls, or ornamental walls or masonry incidental to the main use of the premises, or
  - f) Any lawful sign.
  - g) Uncovered platforms less than 0.6m in height measured from the surrounding grade.
  - h) An unenclosed barrier-free wheel chair ramp
- 2) Except for day nurseries, power generation facilities, group homes and the lands subject to Special Provision 89 (568) and those uses set out within paragraphs (a), (b), and (c) of the group homes definition in Section 2 nothing in this by-law prevents the use of the land or erection or use of a building or structure for any undertaking authorized or maintained by a governmental authority or a public utilities corporation where the land is used and the building or structure is erected in conformity with the established character of the zone in which it is situated.
- 3) Every yard shall be open and unobstructed from the ground to the sky by any structures, except for the following encroachments which are permitted subject to compliance with the regulations listed in each of the columns of the table below:

	<b>Structure</b>	<b>Yard in which Structure is Permitted</b>	<b>Maximum projection into required yard</b>	<b>Maximum total projection into yard</b>
(a)	Sills, belt courses, cornices, coves, pilasters, eaves, gutters, awnings, canopies or other non-structural architectural features	All	0.6m	n/a

	<b>Structure</b>	<b>Yard in which Structure is Permitted</b>	<b>Maximum projection into required yard</b>	<b>Maximum total projection into yard</b>
(b)	Fire Escapes	Rear & Side	1.5m	n/a
(c)	Exterior stairways	Rear & Side	1.5m	n/a
(d)	Balconies	Front & Rear	1.5m	1.5m
(e)	Uncovered platforms greater than 0.6 m in height measured from surrounding grade.	Front & Rear	1.5m	n/a
		Side	To a maximum of 0.6m from the lot line except for multiple attached and semi-detached units in which case it may be 0 m from an interior common wall	n/a
		Flankage	To a maximum of 2m from the flankage lot line	n/a
(f)	Chimneys (with a maximum width of 1.8 m.)	All	0.6m	n/a
(g)	Bay Windows without foundations (with a maximum width of 3 m.)	All	0.6m	n/a
(h)	uncovered stairs below grade accessing a principal building	Rear	1.5m	n/a
		Side	0	1.5m

- 4) An accessory building necessary for the storage of tools and materials in connection with the construction of a building may be erected on the lot prior to the erection of the main building, provided it is used for no purpose other than storage.

### 13. **PUBLIC WORKS**

- 1) Notwithstanding anything in Section 9 (3) or anything else in this by-law, a public authority may acquire as a site for future use a parcel of land which does not abut a street, provided that no person shall erect or use any building thereon until a street is established on which the parcel abuts in such a way that the parcel is a lot as defined by this by-law and complies with all the relevant provisions of this by-law.

- 2) Where land has been acquired for the purpose of accommodating municipal work such as services, drainage or road widening or for a service such as a power transmission or railway line, or the like, and such acquisition has deprived a property or a part of a property of a frontage on a street, the land so deprived shall be deemed to have retained its frontage for the purpose of this by-law, but yards shall be calculated from the actual property line.

#### 14. **COMPUTATION OF YARDS**

- 1) Where a lot abuts a lane, one-half of the width of the lane may be considered part of the lot for the purpose of computing lot area, lot coverage and rear yard depth.
- 2) In the case of corner or through lots, the front and flankage or front and rear, as the case may be, shall be determined in the manner which is most compatible with surrounding development where possible, otherwise the shorter boundary abutting a street shall be deemed to be the frontage.
- 3) For the purpose of computing yard depths or widths required by this by-law, the following street widths apply so that where the lot line is the limit of a street narrower than is provided in this subsection, measurement shall be made from a line parallel to the lot line but distant one-half the required street width from the ultimate middle of the street as established by the Director of Public Works:

<b>Street Name</b>	<b>Location</b>	<b>R.O.W. Width</b>
Bronte Road	- Q.E.W. to Donovan Bailey Park	35 m
	- Donovan Bailey Park to Rebecca Street	26 m
	- Rebecca Street to Ontario Street	20 m
Burloak Drive	- Q.E.W. to Speers Road	35 m
	- Speers Road to Great Lakes Blvd.	35 m
	- Great Lakes Blvd. to Lakeshore Rd.	26 m
Chartwell Road		26 m
Colonel William Parkway		24 m

<b>Street Name</b>	<b>Location</b>	<b>R.O.W. Width</b>
Cornwall Road		35m
Cross Avenue		26m
Dorval Drive		35m
Dorval Drive	Rebecca Street to Lakeshore Road	35m
Eighth Line	Q.E.W. to Highway No. 5	26m
Ford Drive		35m
Fourth Line	- Speers Road to Q.E.W - South of Speers Road	35m 20m
Great Lakes Blvd.	- Burloak Drive to Rebecca Street	35m
Highway No. 5		35m
Lakeshore Road	- Gloucester Avenue to Maurice Drive - elsewhere	24m 26m
Leighland Avenue		26m
Ninth Line	- North of Upper Middle Road	35m
North Service Rd.	- Except between Third Line and Hwy.25	26m
Nottingham Gate		26m
Randall Street	- West of Trafalgar Road	26m
Rebecca Street		26m
Royal Windsor Dr.		35m
Sixth Line		26m
South Service Rd.	- Third Line to Fourth Line	26m
Speers Road		35m
Third Line	- North of Speers Road - Speers Road to Lakeshore Road	35m 26m
Trafalgar Road	- North of Cornwall Road - Cornwall Road to Inglehart Street	35m 26m
Upper Middle Road		35m
Winston Churchill Boulevard		35m
Wycroft Road		26m

Street Name	Location	R.O.W. Width
All other Lines and Concession Roads		26m
All other streets not within a registered plan of subdivision		20m
All other streets within a registered plan of subdivision		As shown on the Plan

- 4) Notwithstanding any other provision of this by-law no building or structure shall be erected within a triangle having a length of 15m fronting on each of the two intersecting streets at the following intersections:
- a) Intersections involving Line and Concession Roads and provincial Highways, and
  - b) Intersections of Morrison Road and Linbrook Road; Morden Road and Speers Road, provided, however, that every such triangle belonging to the Town shall be deemed to be part of the adjoining lot for the purpose of computing lot area and frontage and yards otherwise required.
- 5) For the purpose of computing yard depths or widths required by the by-law, the following street widths apply so that where the lot line is the limit of a street narrower than is provided for in this subsection, measurement shall be made from a line parallel to the lot line, but distant one-half the required street width from the ultimate middle of the street, as established by the Director of Public Works:
- a) Existing Rights-of-Way  
Allan Street, Anderson Street, Balsam Drive, Bath Street, Brant Street, Bond Street, Brock Street, Burnett Street, Carson Lane, Chisholm Street, First Street, Forsythe Street, Front Street, Gloucester Avenue, Head Street, Howard Avenue, John Street, Kerr Street south of Lakeshore Road, Reynolds Street south of Robinson, Palmer Avenue between Trafalgar Road and Allan Street, Park Avenue, Second Street, Spruce Street between Trafalgar Road and Reynolds Street, Sumner Avenue between Trafalgar Road and Allan Street, The Esplanade, Timber Lane, Walker Street, Wilson Street.
  - b) Minimum 15 Metre Right-of-Way  
Brookfield Road south of Brookfield Crescent, Freestone Lane between Trafalgar Road and Reynolds Street, Lawson Street between Trafalgar Road and Reynolds Street, Union Street.
  - c) Minimum 18 Metre Right-of-Way  
Dunn Street between Trafalgar Road and Randall Street, North Service

Road between Churchill Avenue and Sixth Line, Randall Street between Allan Street and Navy Street,

- d) Minimum 20 Metre Right-of-Way  
Kerr Street north of CNR Tracks to Wycroft Road, Morrison Road, Reynolds Street between Lakeshore Road and Robinson Street.

## 15. **PARKING**

### 1) **General Parking Regulations Applying to All Uses**

#### a) Calculations

- i) Minimum parking requirements for permitted uses and zones are regulated in the Minimum Parking Requirement tables of Parts II-V respectively except for Minimum Accessible Parking Requirements, which are regulated in subsection 4) below;
- ii) Where the application of minimum parking requirements results in a fraction of a parking space, the required number of spaces shall be increased to the next whole number;
- iii) For “commercial residential” uses, on-site commercial parking provisions are calculated based on an aggregate of all commercial floor area for the development;
- iv) Where parking requirements are related to seating capacity and seating is by open benches, each 0.5m of open bench shall be counted as one seat.

#### b) Location

- i) All required parking areas shall be located on the same lot as the main use;
- ii) Notwithstanding i), access lanes may be shared provided the rights-of-way are registered on title.

#### c) Design

- i) Parking area lighting shall be deflected from adjacent residential uses;
- ii) Except for detached, semi-detached, and duplex dwellings, and structures with a maximum of four dwellings units, parking areas and driveways shall be treated with a permanent, durable, and dustless surface of asphalt or concrete;
- iii) Except for parking area access, aisles, and driveways, the

perimeter of surface parking areas shall be curbed with continuous curbing that is 150mm tall by 150mm wide;

- iv) Where entry to a vehicle is limited on a side by a structure, the minimum width of the parking space shall be unobstructed throughout.

d) Access and Aisles

- i) Parking area access shall be provided by at least one entrance lane and one exit lane. If separate, each access lane shall be a minimum width of 3m. If combined, the access lane shall be a minimum width of 5.5m;
- ii) Except in the case of detached, semi-detached and multiple-attached dwellings, where tandem parking is permitted, parking areas shall be arranged so that each parking space has unobstructed access to and from a public street or lane. Any vehicle accessing the parking area shall be able to do so in a forward motion;
- iii) Parking area aisles shall be no less than 6m wide throughout;
- iv) For purposes of these regulations, a driveway for detached, semi-detached, and duplex dwellings is neither an aisle nor an access lane.

2) **Parking Regulations Applying to Residential Uses**

- a) “Passenger vehicle” parking in a front yard is only permitted in a driveway;
- b) The maximum width of a driveway for detached, semi-detached and duplex dwellings shall be:
  - i) 6m for lots with a frontage of 12m or less; or,
  - ii) 50% of the lot frontage to a maximum of 9m for lots wider than 12m;
- c) Parking in a driveway of one “commercial vehicle” is permitted provided the vehicle:
  - i) Does not exceed a gross weight of 3000kg registered with the Province;
  - ii) Does not exceed a maximum length of 6.0m;
  - iii) Does not exceed a maximum height of 2.3m; and,
  - iv) Is used for the resident’s transport to and from a place of



employment;

3) **Parking Regulations Applying to Non-Residential Uses**

- a) For C3 and C3R Zones, parking areas shall not be located in a front yard or in a flankage yard;
- b) Where more than one parking area is provided for a use, access shall be provided between parking areas for vehicular and pedestrian traffic;
- c) The parking of inoperative vehicles is permitted only in conjunction with these specified uses: automobile service stations, automobile dealerships, and auto related uses;
- d) A shelter of not more than 3m in height and not more than 4.5m<sup>2</sup> in area may be erected in the parking area for the use of the attendants;
- e) No charge may be made for parking and such parking shall be open to members of the public while using the premises.
- f) Notwithstanding Section 15. 1) c) ii), parking areas located in a side yard or rear yard, for general industrial uses, transportation terminals, vehicle storage compounds, waste processing, and transfer stations in an E2 Zone, can be maintained with a stable dustless surface such as crushed stone, slag, gravel or cinders having an asphalt or portland cement binder, or any permanent type of sealcote and wearing surface, subject to the engineering specifications of the Town.

4) **Minimum Accessible Parking Requirements**

- a) Designated parking spaces for persons with disabilities shall be as follows:

	<b>Use</b>	<b>Requirements</b>
i)	Commercial uses permitted in commercial zones including hotels, motels and restaurants; all uses permitted in employment zones; and, municipal buildings, and stadia, shall provide:	<ul style="list-style-type: none"> <li>- A minimum of one designated parking space to a maximum of 20 designated parking spaces;</li> <li>- One designated parking space for the first 20 spaces;</li> <li>- One additional designated parking space for the next 80 spaces; and,</li> <li>- One designated parking space for each additional 100 spaces or part thereof.</li> </ul>
ii)	Public and private schools shall provide:	- Designated parking spaces at the same rate as i) but to a maximum only of 10 designated parking spaces.

	Use	Requirements
iii)	Hospitals and medical centres shall provide:	<ul style="list-style-type: none"> <li>- A minimum of one designated parking space to a maximum of 20 designated parking spaces;</li> <li>- One designated parking space for the first 29 spaces;</li> <li>- One additional designated parking space for the next 30 spaces;</li> <li>- One designated parking space for the next 41 spaces;</li> <li>and,</li> <li>- One designated parking space for each additional 100 spaces or part thereof.</li> </ul>

## 16. DIVISION INTO ZONES

For the purposes of this by-law, the Town of Oakville is divided into the following zones, the boundaries of which are shown on the maps comprising Part VII and identified by the following symbols:

Class	Zone Designation	Symbol *
Residential	Detached Dwellings	R1 or R01, R2 or R02 R3 or R03, R4 or R04 R5 or R05, R10, R13
	Mixed Dwellings	R6 or R06, R7 or R07 R8 or R08, R11, R12
	Apartment Zone	R9
Commercial	Local Shopping Centre	C1
	Community Shopping Centre	C2
	Central Business District	C3

<b>Class</b>	<b>Zone Designation</b>	<b>Symbol *</b>
	Central Business District - Residential	C3R
	Arterial Commercial	C3A
	Rural Commercial	C4
	Highway Commercial	C5
	Service Station Zone	C6 or C3A
	Travellers' Service Zone	C7
Employment	Light Employment	E1
	General Employment	E2
	Transition Employment	T1
Industrial	Light Industrial	M1
	Medium Industrial	M2
	Heavy Industrial	M3
Open Space	Public Open Space	01
	Private Open Space	02
	Semi-Public	03
	Conservation	04
	Parkway Belt Public Use	05
	Marine Commercial	06
Public Use	Public Use	G
	Public Use/Education	P/E
Agricultural	Agricultural	A
Mixed Use	Mixed Use One	MU1
	Mixed Use Two	MU2
	Mixed Use Three	MU3
	Mixed Use Four	MU4
Parkway Belt	Parkway Belt Agricultural	PBA
	Parkway Belt Rural	PBR

**PART I                      ALL ZONES**

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<b>Class</b>	<b>Zone Designation</b>	<b>Symbol *</b>
	Parkway Belt	PB

\* Where the symbol for a zone is used in conjunction with another notation, that symbol shall be deemed to be a reference to the relevant zone subject to such modifications as are contained in the relevant special provision of this by-law.

**16A    PLANNING COMMUNITIES**

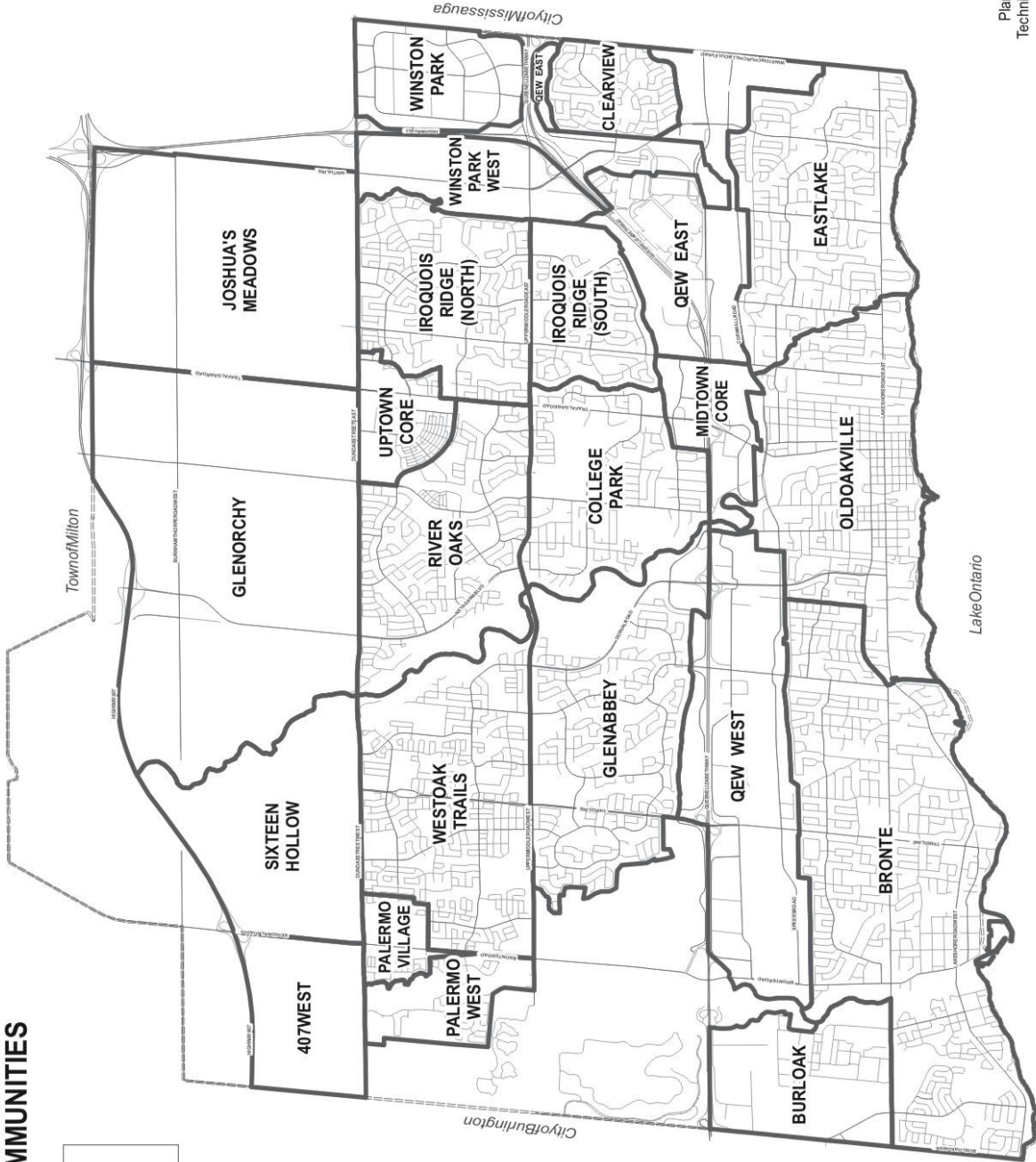
The Planning Communities of the Town of Oakville are depicted on the following Figure 1 and may be referred to by the names identified in Figure 1.

Figure 1

PLANNING COMMUNITIES

**LEGEND**

- PLANNING COMMUNITIES
- MUNICIPAL BOUNDARY



TOWN OF OAKVILLE  
 Planning Services Department  
 Technical Services Business Unit

DATE: 2014-05-08 10:00 AM