

Memo

To: Mayor and Members of Council
From: Planning Services Department
CC: Jane Clohecy, CAO
Neil Garbe, Commissioner of Community Development
Date: November 1, 2021
Subject: Item 6.1 - Public Meeting and Recommendation Report - Town-initiated Omnibus Zoning By-law Amendment to North Oakville Zoning By-law 2009-189 (File No. 42.26.01) - All lands north of Dundas Street and south of Highway 407 - By-law 2021-125

The purpose of this memo is to advise that Appendix A of the staff report dated October 19, 2021 is proposed to be replaced with a revised version prepared by staff to address a typo and to remove two provisions. New notice is not required in accordance with the provisions of the *Planning Act*.

A revised recommendation #1 is now proposed:

1. That By-law 2021-125, a by-law to make housekeeping, technical and other modifications to Zoning By-law 2009-189, as amended (Omnibus Zoning By-law Amendment, File 42.26.01), be passed as revised in accordance with the memo dated November 1, 2021;

The below excerpt of Draft By-law 2021-125 demonstrates the proposed updates. The first, is to replace an incorrect reference to Zoning By-law 2014-014 when the correct reference is Zoning By-law 2009-189. The notice that went out to the public was clear that the amendment was to Zoning By-law 2009-189 so this can be corrected without further notice being required.

The second update is to remove provisions that proposed amendments to footnotes under Sections 7.6.2 and 7.7.2 of Zoning By-law 2009-189, as amended, related to the height of a one storey addition that is permitted to project into a rear yard. Staff received letters on behalf of Star Oak Development Limited and North Oakville Community Builders Inc. (NOCBI) expressing concerns with these proposed provisions and requesting further consultation with Staff. Staff would like the opportunity to explore the best approach to ensure the intent of this footnote is maintained. As a result, Staff are

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proposing to remove these provisions from Draft By-law 2021-125 to allow for further review and discussion. An amendment to these provisions may be brought back to Council through another Housekeeping Amendment at a later date.

Proposed Revision to Draft By-law 2021-125:

7. Within **Section 7, Zoning Regulations**, of **Zoning By-law 2014-014 2009-189**:

a. **Section 7.6.2, Building Types Permitted and Related Standards**, is amended by deleting Footnote 1 in its entirety and replacing it with the following:

¹The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical distance of 6.0 m measured between grade and the highest point of the building."

b. **Section 7.7.2, Building Types Permitted and Related Standards**, is amended by deleting Footnote 1 in its entirety and replacing it with the following:

¹The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical distance of 6.0 m measured between grade and the highest point of the building."

Attachment:

- Revised Appendix A – By-law 2021-125