

REPORT

Planning and Development Council

Meeting Date: January 17, 2022

FROM: Planning Services Department

DATE: January 4, 2022

SUBJECT: 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 2022-007

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

WARD: Town-wide

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RECOMMENDATION

1. That By-law 2022-007, a by-law to make housekeeping, technical and other modifications to Zoning By-law 2009-189, as amended (Omnibus Zoning By-law Amendment, File No. 42.26.01), be passed.
2. That notice of Council's decision reflects that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
3. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS

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

- Town-initiated amendments to Zoning By-law 2009-189 are part of an ongoing initiative to improve the document. The proposed amendment was prepared to address several issues identified by Staff through the ongoing use of Zoning By-law 2009-189.
- The matters addressed are wide-ranging from correcting and clarifying existing wording, updating definitions, introducing accessible parking standards consistent with the *Accessibility Ontario Disabilities Act* to adding

provisions and renaming the “Existing Development” (ED) zone to the “Future Development” (FD) zone to reflect the intention for future development. Not all zones would be impacted by the proposed amendment.

- A statutory public meeting was held on November 1, 2021 and Council deferred making a decision to allow for further consultation with land owners.
- The Public Meeting and Recommendation Report presented at the November 1, 2021 Planning and Development Council Meeting is attached as Appendix A and contains all relevant background information, purpose and effect of the proposed housekeeping amendment.
- The proposed housekeeping By-law is referred to as By-law 2021-125 in the attached report (Appendix A) but it has been renamed to By-law 2022-007 since it will be considered in the year 2022. The contents of the draft by-law are the same save and except for the updates outlined below. The sections in yellow highlighting represent what has been added and removed from the draft by-law since it was before Council on November 1, 2021.

UPDATES SINCE NOVEMBER 1, 2021 PLANNING AND DEVELOPMENT COUNCIL MEETING

Public Meeting and Recommendation Report regarding 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, was considered by Council on November 1, 2021 (attached as Appendix A). As a result of public input from representatives of the North Oakville Community Builders Inc. (NOCBI), Council passed the following motion:

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 No. 42.26.01), be deferred to a future Planning and Development Council meeting for additional consultation with the landowners.

Staff met with representatives of NOCBI on November 30, 2021 and discussed solutions to their concerns with draft By-law 2021-125. As a result of these discussions, Staff are bringing back the draft by-law, renamed to By-law 2022-007, with the following update which clarifies how the height of a one storey addition, permitted through footnotes in Sections 7.6.2 and 7.7.2 of the Zoning By-law, as amended, is measured. This clarification will continue to meet the intent of the Zoning By-law. Note that words that are highlighted and crossed out have been removed from the draft by-law and words that are highlighted and underlined have been added.

Proposed update to Draft By-law 2021-125, renamed to By-law 2022-007:

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:

“ 1 The 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~~ 4.0 m measured between ~~grade~~ the finished floor level of the first storey and the highest point of the roof 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:

“ 1 The 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~~ 4.0 m measured between ~~grade~~ the finished floor level of the first storey and the highest point of the roof of the *building*.”

Draft By-law 2022-007, as amended, continues to be consistent with the Provincial Policy Statements, conforms to the Growth Plan, Halton Region's Official Plan and the Town's Official Plan.

The proposed updates are still within the notice provided to the public in advance of the November 1, 2021 Planning and Development Council Meeting and therefore additional notice is not required. The representatives of NOCBI did not have any other concerns with the proposed by-law.

Staff are scheduled to meet with representatives of NOCBI on January 17, 2022 to hear any additional feedback on their use of Zoning By-law 2009-189, as amended, which was outside of the scope of the Town-initiated housekeeping By-law 2022-007. Staff will have the opportunity to review their feedback and consider whether aspects could be incorporated into a future housekeeping By-law or whether a

concern is outside of the scope of a housekeeping By-law and would be better suited to further study. When considering this feedback, it will need to meet the intent of the Official Plan and be consistent with the Town's goals for development in North Oakville.

CONSIDERATIONS

(A) PUBLIC

A public information meeting was not held as the proposed Zoning By-law amendment is intended to improve implementation and interpretation issues and is primarily technical in nature. Notice was published in the Oakville Beaver on October 7, 2021. Since that date, the proposed Zoning By-law amendment has been available for review digitally through the Planning Services Department. Copies of the proposed by-law have also been shared by email to parties that made a formal request. A Public Meeting was held on November 1, 2021. Written correspondence and oral submissions have been addressed through minor updates to Draft By-law 2022-007.

(B) FINANCIAL

There are no financial impacts arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

(D) CORPORATE STRATEGIC GOALS

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

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

(E) CLIMATE CHANGE/ACTION

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community's commitment in reducing carbon footprints. The amendment of By-law 2009-189 does not impact the Town's climate initiatives.

CONCLUSION

By-law 2022-007, an amendment to the Zoning By-law 2009-189, has been prepared to address housekeeping, technical and other matters described in this report.

APPENDICES

Appendix A – November 1, 2021 Planning and Development Council, Public Meeting and Recommendation Report – Town – initiated Omnibus Zoning By-law 2009-189 (File No. 42.26.01) – All lands North of Dundas Street and south of Highway 402 – By-law 2021-125, dated October 19, 2021

Appendix B – By-law 2022-007

Prepared and Submitted by:

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Recommended by:

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