

# APPENDIX E: Revised Zoning By-law Amendment



## THE CORPORATION OF THE TOWN OF OAKVILLE

### BY-LAW NUMBER 2022-052

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to permit the use of lands described as 281 and 291 Cornwall Road (formerly 271 Cornwall Road and 485 Trafalgar Road) (FHCT Holdings (Ontario) Corporation, File No.: 1612.14)

#### COUNCIL ENACTS AS FOLLOWS:

1. Map 19(8b) of By-law 2014-014, as amended, is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 15, Special Provisions, of By-law 2014-014, as amended, is further amended by adding a new Section 15.413 as follows:

<b>413</b>	<b>281 and 291 Cornwall Road</b>	Parent Zone: MTC
Map 19(8b)	Part of Lots 1, 2, and 3 and Part of Lot 121; Registered Plan 131 and 127	(2022-052)
<b>15.413.1 Additional Permitted Uses</b>		
The following additional <i>uses</i> are permitted:		
a)	<i>Apartment dwelling</i>	
b)	<i>Medical Office</i>	
<b>15.413.2 Additional Regulations for Permitted Uses</b>		
The following regulations apply:		
a)	All non-residential <i>uses</i> shall only be permitted on the <i>first storey</i> and <i>second storey</i> .	
b)	An <i>apartment dwelling</i> is prohibited on the <i>first storey</i> .	
c)	Notwithstanding Section 15.413.2 b) above, <i>ancillary residential uses</i> are permitted on the <i>first storey</i> .	
<b>15.413.3 Zone Provisions</b>		
The following regulations apply:		
a)	The <i>lot line</i> abutting Cornwall Road shall be deemed the <i>front lot line</i> .	

b)	Minimum <i>lot frontage</i>	Shall not apply
c)	Minimum <i>lot area</i>	Shall not apply
d)	Maximum <i>lot coverage</i>	Shall not apply
e)	<i>Minimum front yard</i> (Cornwall Road)	10.0 m
f)	<i>Minimum flankage yard</i> (Trafalgar Road)	2.5 m
g)	<i>Minimum interior side yard</i>	1.0 m
h)	<i>Minimum rear yard</i>	6.0 m
i)	Minimum number of <i>storeys</i>	8
j)	Minimum <i>height</i> of the <i>first storey</i>	4.5 m
k)	Minimum setback or <i>yards</i> for an underground <i>parking structure</i>	0.8 m
l)	Minimum <i>separation distance</i> between <i>building</i> towers above the third <i>storey</i>	25.0 m
m)	Notwithstanding Section 4.21, minimum <i>building</i> setback from a <i>railway corridor</i>	6.0 m
n)	<i>Balconies</i> are permitted in any <i>yard</i> and the maximum total projection beyond the <i>main wall</i> is 2.0 m.	

**15.413.4 Additional Zone Provisions for Block A**

The following additional regulations apply to Block A as identified in Figure 15.413.1:

a)	Minimum <i>floor area</i> for the non-residential <i>uses</i> on the <i>first storey</i>	650 m <sup>2</sup>
b)	Maximum number of <i>storeys</i>	14
c)	Maximum floorplate area of a <i>building</i> tower measured from the exterior of the outside walls, above the third <i>storey</i> . Recessed <i>balconies</i> up to the <i>main wall</i> are included in the floorplate area calculation.	850 m <sup>2</sup>

**15.413.5 Additional Zone Provisions for Block B**

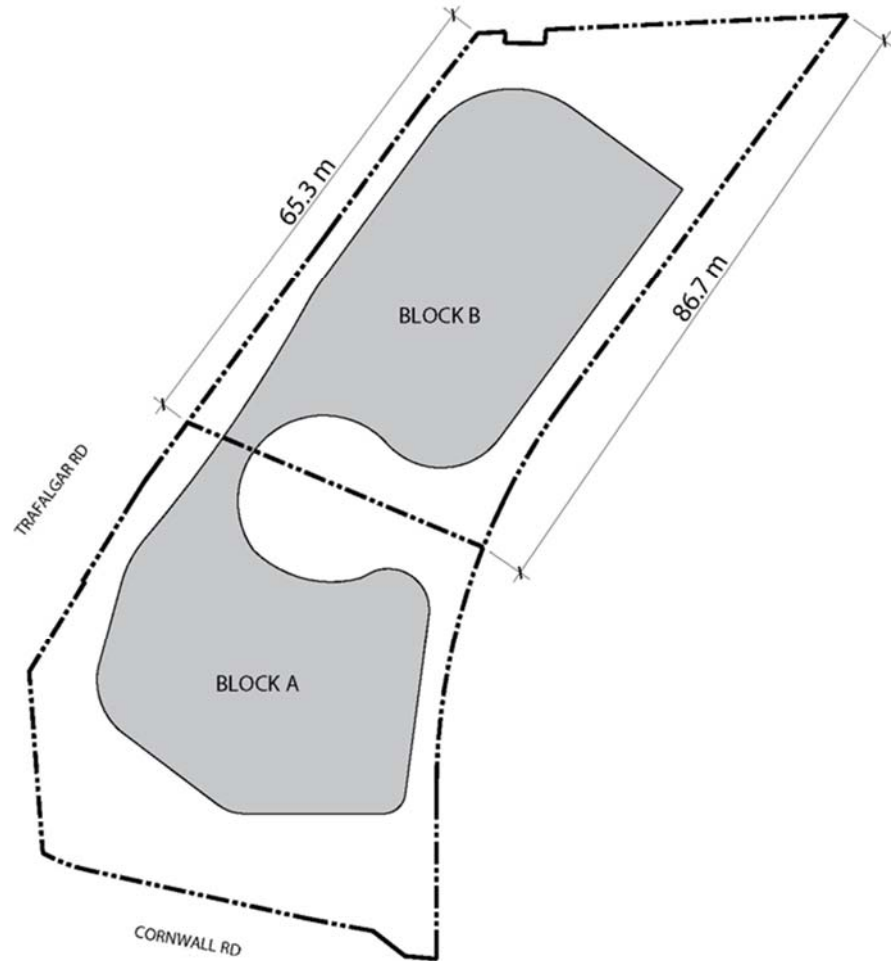
The following additional regulations apply to Block B as identified in Figure 15.413.1:

a)	Minimum <i>floor area</i> for non-residential <i>uses</i> on the <i>first storey</i>	200 m <sup>2</sup>
b)	Maximum number of <i>storeys</i>	19

c)	Maximum floorplate area of a <i>building</i> tower measured from the exterior of the outside walls, above the third <i>storey</i> . Recessed <i>balconies</i> up to the <i>main wall</i> are included in the floorplate area calculation.	750 m <sup>2</sup>
<b>15.413.6 Parking Provisions</b>		
The following parking regulations apply:		
a)	Minimum number of <i>parking spaces</i> for <i>apartment dwelling</i>	0.75 per <i>dwelling unit</i> , plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitors <i>parking spaces</i>
b)	Maximum number of <i>parking spaces</i> for <i>apartment dwelling</i>	1.0 per <i>dwelling unit</i> , plus 0.15 <i>parking spaces</i> per <i>dwelling unit</i> for visitors <i>parking spaces</i>
c)	Ventilation shafts, stairs and stairways associated with an underground <i>parking structure</i> , hydro vaults and above-ground gas meters including any appurtenances thereto are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
d)	Ventilation shafts associated with an underground <i>parking structure</i> are not permitted below the first 3.0 metres of vertical distance of a <i>building wall</i> measured from the finished floor level of the <i>first storey</i> .	
e)	A minimum of 20% of the <i>parking spaces</i> in a <i>building</i> shall include the provision for the installation of electric motor vehicle supply equipment.	

**15.413.7 Special Site Figures**

Figure 15.413.1



**15.413.8 Special Site Provisions**

*The following additional provisions apply:*

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|----|--|
| a) | All lands identified as subject to this Special Provision shall be considered as one <i>lot</i> for the purposes of this By-law. |
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3. Part 16, Holding Provisions, of By-law 2014-014, as amended, is further amended by adding a new Section 16.3.49 as follows:

<b>H49</b>	<b>281 and 291 Cornwall Road</b>	Parent Zone: MTC
Map 19(8b)	(Part of Lots 1, 2, and 3 and Part of Lot 121; Registered Plan 131 and 127)	(2022-052)
<b>16.3.49.1 Only Permitted Uses Prior to Removal of the “H”</b>		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal uses, <i>buildings</i> and <i>structures</i> existing on the <i>lot</i> .	
<b>16.3.49.2 Conditions for Removal of the “H”</b>		
The “H” symbol shall, upon application by the landowner, be removed by <i>Town Council</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
a)	<p>Prior to any servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits to Halton Region a Ministry of the Environment, Conservation and Parks (MECP) acknowledged Record of Site Condition (RSC), that is certified by a qualified person as defined in Ontario Regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use. The Owner also submits all supporting environmental documentation such as Phase One and Two Environmental Site Assessment and remediation reports etc. to Halton Region for review. The author of the environmental reports and Record of Site Condition submitted to the Region must extend third party reliance to Halton Region. The Owner complies with Ontario Regulation 153/04 and Halton Region’s Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region.</p> <p>Notwithstanding subsection (1) above, this Holding Provision does not prevent the issuance of a building permit necessary to authorize:</p> <p style="margin-left: 40px;">i. The removal of soil, rock or fill for the purpose of making an excavation; or the erection of a retaining structure or other structure to support the sides of the excavation, that are erected to assist in the conduct of an investigation in relation to property, or for any other activity necessary to accommodate site remediation for the purpose of filing a Record of Site Condition.</p>	

4. This By-law comes into force in accordance with Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 16<sup>th</sup> day of May, 2022

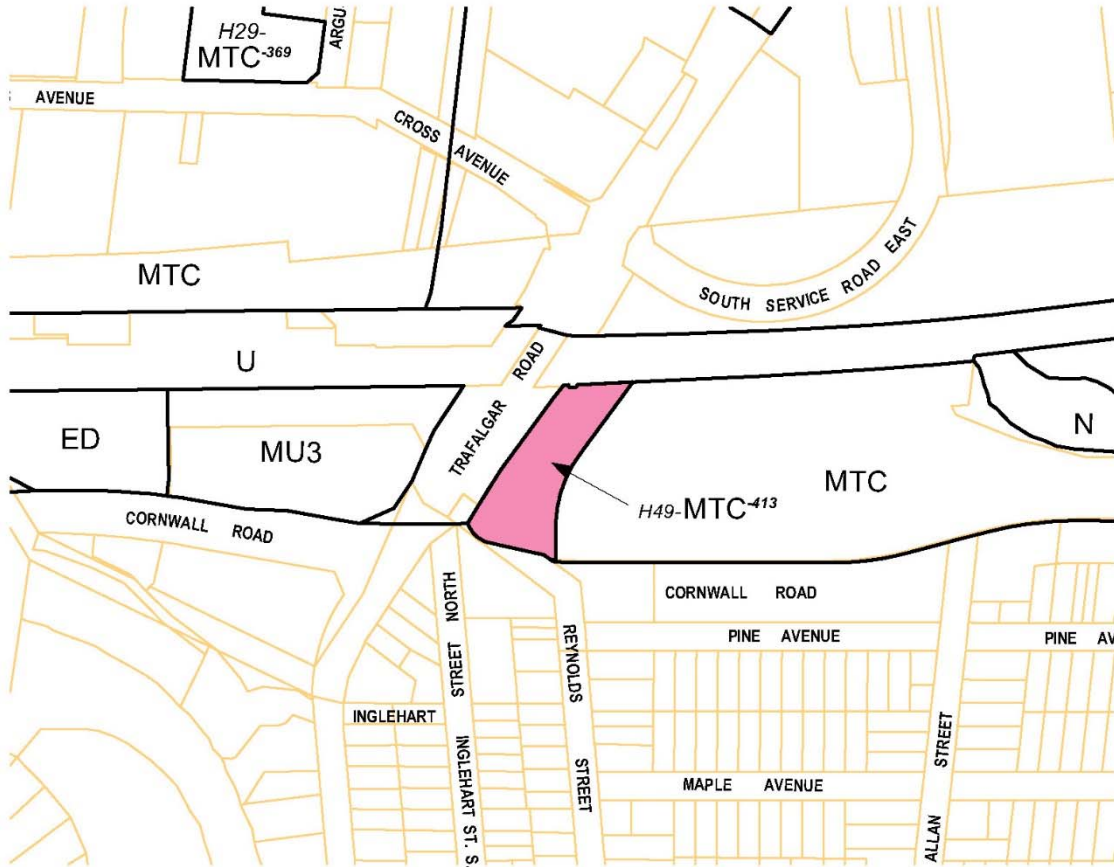
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MAYOR


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CLERK

**SCHEDULE "A"**  
**To By-law 2022-052**



**AMENDMENT TO BY-LAW 2014-014**

 Re-zoned From: Midtown Transitional Commercial (MTC) to Midtown Transitional Commercial (H49-MTC sp:413)

**EXCERPT FROM MAP 19 (8b)**



**SCALE 1 : 4000**