



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2022-100

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lots 17, Con. 1, NDS Docasa Group Ltd., File No.: Z.1317.06

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(4) of By-law 2009-189, as amended, is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 8, Special Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Special Provision 121 as follows:

121	Lower Fourth Development Limited and Pendent Developments Ltd. Part of Lots 17 – 19, Con. 1, NDS Docasa Group Ltd. Part of Lots 17, Con. 1, NDS	Parent Zone: I
Map 12(4)		(2022-059) (2022-100)

3. Part 8, Special Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Special Provision 124 as follows:

124	Star Oak Developments Limited 90 Burnhamthorpe Road West Docasa Group Ltd. Part of Lots 17, Con. 1, NDS	Parent Zone: GU, NC
Map 12(4)		(2022-096) (2022-100)

4. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new 8.125 and 8.126 as follows:

125	Docasa Group Ltd		Parent Zone: NC
Map 12(4)	Part of Lots 17, Con. 1, NDS		(2022-100)
8.125.1 Only Permitted Building Type			
The following <i>building</i> types are the only <i>building</i> types permitted:			
a)	<i>Apartment</i>		
b)	<i>Mixed use building</i>		
8.125.2 Zone Provisions			
The following regulations apply to all lands identified as subject to this special provision:			
a)	The <i>lot line</i> abutting Street A extension, future Preserve Drive, shall be deemed the <i>front lot line</i> .		
b)	Minimum <i>front yard setback</i>	0.0 m	
c)	Minimum <i>flankage yard setback</i>	1.0 m	
d)	Minimum <i>Floor Space Index</i> for an <i>apartment</i>	0.5	
e)	Maximum <i>Floor Space Index</i> for an <i>apartment</i>	2.0	
f)	Minimum and maximum <i>density</i> for an <i>apartment</i> in Table 7.5.2 shall not apply.		
g)	Maximum <i>height</i>	6 storeys and 21.0 m	
h)	Minimum <i>height</i> of the <i>first storey</i> for an <i>apartment</i> or <i>mixed use building</i>	4.5 m	
8.125.3 Parking Regulations			
The following parking regulations apply:			
a)	Ventilation shafts, stairs and stairways associated with a <i>parking garage</i> below <i>grade</i> , hydro vaults and above <i>grade</i> water and 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> .		
8.125.4 Special Site Provisions			
The following additional provisions apply:			
a)	<i>Height</i> shall be measured from the finished floor elevation of the <i>first storey</i> .		

126	Docasa Group Ltd		Parent Zone: NC
Map 12(4)	Part of Lots 17, Con. 1, NDS		(2022-100)
8.126.1 Only Permitted Building Type			
The following <i>building type</i> is the only <i>building types</i> permitted:			
a)	<i>Mixed use building</i>		
8.126.2 Zone Provisions			
The following regulations apply to all lands identified as subject to this special provision:			
a)	The <i>lot line</i> abutting the Street A extension, future Preserve Drive, shall be deemed the <i>front lot line</i> .		
b)	Minimum <i>flankage yard setback</i>	1.0 m	
c)	Minimum <i>rear yard setback</i> abutting GU zone	7.5 m	
d)	Minimum <i>rear yard setback</i> for <i>parking garages</i> below <i>grade</i> abutting GU zone	3.0 m	
e)	Maximum <i>height</i>	6 storeys and 21.0 m	
f)	Minimum <i>height</i> of the <i>first storey</i> for a <i>mixed use building</i>	4.5 m	
g)	Minimum <i>floor area</i> for non-residential <i>uses</i>	350 m ²	
h)	Each non-residential unit located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>public street</i> .		
8.126.3 Parking Regulations			
The following parking regulations apply:			
a)	Ventilation shafts, stairs and stairways associated with a <i>parking garage</i> below <i>grade</i> , hydro vaults and above <i>grade</i> water and 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> .		
b)	<i>Parking</i> requirements for non-residential <i>uses</i>	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum	
8.126.4 Special Site Provisions			
The following additional provisions apply:			
a)	<i>Height</i> shall be measured from the finished floor elevation of the <i>first storey</i> .		

5. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Holding Provision 54 as follows:

H54	Argo (West Morrison Creek) Ltd. 3270 Sixth Line	Parent Zone: NC
Map 12(4)	Digram Developments Oakville Inc. 3380 Sixth Line	(2022-039) (2022-048) (2022-100)
	Docasa Group Ltd Part of Lots 17, Con. 1, NDS	

6. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Holding Provision 55 as follows:

H55	Timsin Holding Corp. Part Lot 16, Concession 1, NDS	Parent Zone: S, GU, NC and I
Map 12(4)	Argo (West Morrison Creek) Ltd. 3270 Sixth Line	(2022-037) (2022-039) (2022-048) (2022-059)
	Digram Developments Oakville Inc. 3380 Sixth Line	(2022-096) (2022-100)
	Lower Fourth Development Limited and Pendent Developments Ltd. Part of Lots 17 – 19, Con. 1, NDS	
	Star Oak Developments Limited 90 Burnhamthorpe Road West	
	Docasa Group Ltd. Part of Lots 17, Con. 1, NDS	

7. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Sections 9.3.58 as follows:

H58	Docasa Group Ltd.	Parent Zone: GU
Map 12(4)	Part of Lots 17, Con. 1, NDS	(2022-096)
9.3.58.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be used for the following uses:		
a)	Legal uses, <i>buildings</i> and <i>structures</i> existing on the <i>lot</i>	
9.3.58.2 Conditions for Removal of the “H”		
The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town passing a By-law under Section 36 of <i>the Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville, Halton Region and Conservation Halton:		
a)	An interim servicing plan is prepared by the proponent to demonstrate how existing external flows from north of Burnhamthorpe Road will be accommodated prior to the Hulme/SGGC lands being developed.	

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

PASSED this ____th day of _____, 2022

MAYOR

CLERK

