



## APPENDIX B

## THE CORPORATION OF THE TOWN OF OAKVILLE

## BY-LAW NUMBER 2021-040

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 Lot 8, Concession 1, N.D.S (Argo (Joshua Creek) Developments Ltd. - formerly Diam) – Z.1308.03

## COUNCIL ENACTS AS FOLLOWS:

1. Map 12(6) of By-law 2009-189, as amended, is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by deleting the header on Section 8.101 and replacing it as follows:

<b>101</b>	<b>Mattamy (Joshua Creek) Limited</b>	Parent Zone: GU
Map 12(6)	Part of Lot 7, Concession 1, NDS	(2021-040)
	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	(2021-046)

3. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by deleting the header on Section 8.54 and replacing it as follows:

<b>54</b>	<b>Bressa Developments Limited.</b>	Parent Zone: GU
Map 12(6)	Part of Lots 7 and 8, Concession 1, NDS	(2018-036)
	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	(2021-046)

4. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.96 as follows:

<b>96</b>	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	Parent Zone: S
Map 12(6)		(2021-040)

<b>8.96.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m
b)	For <i>corner lots</i> or <i>lots</i> abutting the Natural Heritage System (NHS) <i>zone</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.	
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.	
d)	Notwithstanding the minimum <i>rear setback yard</i> in Section 7.7.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access attached private garage</i> abutting the Natural Heritage System (NHS) <i>zone</i> .	6.0 m

5. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.97 as follows:

<b>97</b>	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2021-040)
<b>8.97.1 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.	4.0 m

b)	For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) <i>zone</i> , a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth.
c)	<i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.

6. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.98 as follows:

<b>98</b>	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	Parent Zone: NC
Map 12(6)		(2021-040)
<b>8.98.1 Only Permitted Building Type</b>		
The following <i>Building Types</i> are the only <i>Building Types</i> permitted:		
a)	<i>Mixed use building</i>	
b)	<i>Office building</i>	
c)	<i>Institutional building</i>	
d)	<i>Commercial building</i>	
e)	<i>Commercial/residential building</i>	
<b>8.98.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>height</i>	4 storeys and 13 m
b)	Maximum <i>height</i>	6 storeys and 20 m
c)	Minimum <i>height</i> of the <i>first storey</i> .	4.5 m

7. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.99 as follows:

<b>99</b>	<b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>	Parent Zone: DUC
Map 12(6)		(2021-040)
<b>8.99.1 Additional Permitted Building Type</b>		
The following additional <i>building</i> types are permitted:		
a)	<i>Townhouse dwelling</i>	

b)	<i>Townhouse dwelling back-to back</i>	
<b>8.99.2 Zone Provisions</b>		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	<i>Apartments, mixed use buildings, and commercial/residential buildings</i> shall be the only permitted <i>building</i> types within 50 metres of Dundas Street East.	
b)	Minimum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	6 storeys and 20 m
c)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East.	8 storeys and 29.5 m
d)	Maximum <i>height</i> for <i>buildings</i> within 50 metres of Dundas Street East (upon execution of a Section 37 Agreement).	12 storeys and 45 m
e)	Minimum number of <i>dwelling units</i>	291
f)	Minimum <i>height</i> of the <i>first storey</i> of a <i>mixed use building</i> or <i>commercial/residential building</i> for non-residential and ancillary <i>residential uses</i> .	4.5 m
g)	Minimum <i>floor area</i> for non-residential <i>uses</i>	750 m <sup>2</sup>
h)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination.	
i)	Ventilation shafts/housing and stairways associated with an underground <i>parking structure</i> are not permitted between a <i>building wall</i> and <i>front lot line</i> or <i>flankage lot line</i> .	
<b>8.99.3 Bonusing Provisions</b>		
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>height</i> above 8 storeys for an <i>apartment building</i> or <i>mixed use building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town, facilities, services and matters in the form of one or more of the following:		
a)	Contributions by the Owner of the subject property to the Corporation of the Town of Oakville to be used for eligible community benefits identified in Part F, Section 28.6 of the Town's Livable Oakville Plan.	

8. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Sections 9.3.50 as follows:

<b>H50</b>	<b>Argo (Joshua Creek) Developments Ltd.</b> - Part of Lot 8, Concession 1, NDS	Parent Zone: DUC, GU, S, NC
Map 12(6)		(2021-040)
<b>9.3.50.1 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 used for the following uses:		
a)	Legal uses, <i>buildings</i> and <i>structures</i> existing on the <i>lot</i>	
<b>9.3.50.2 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 <i>the Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton:		
a)	<ul style="list-style-type: none"> <li>• Secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;</li> <li>• Sign the applicable Allocation Agreement or any required Amending Agreements;</li> <li>• Made all required payments; and,</li> <li>• Confirm receipt of a Region of Halton Public Works Commissioner’s Notice (PWCN).</li> </ul>	
b)	The registration on title of a Section 37 Agreement per <i>the Planning Act</i> , for Dundas Urban Core Block 283, where applicable.	

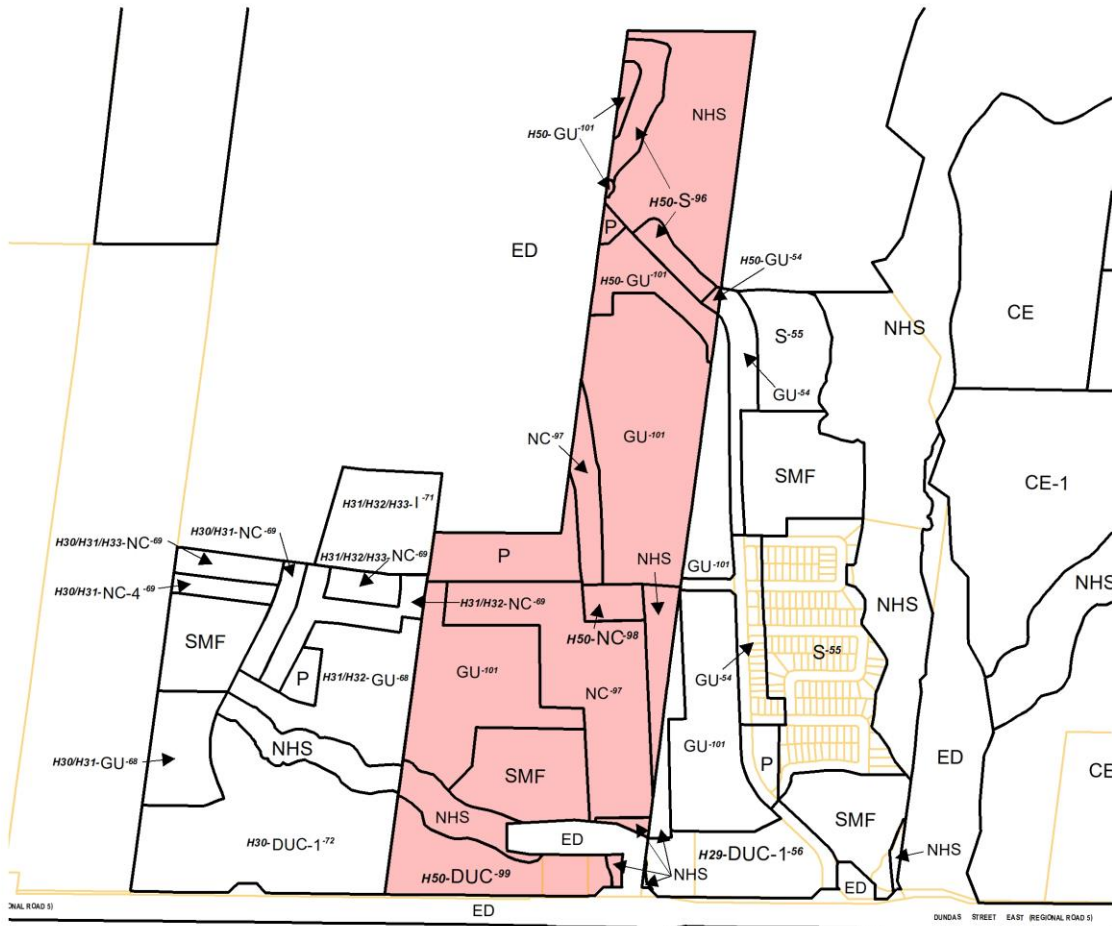
6. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED this 7th day of June, 2021

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**SCHEDULE "A"**  
**To By-law 2021-040**



**AMENDMENT TO BY-LAW 2009-189**

- Rezoned from Existing Development (ED) to
  - Dundas Urban Core (H50 DUC sp:99)
  - General Urban (H50 GU sp:101)
  - General Urban (H50 GU sp:54)
  - General Urban (GU sp:101)
  - Neighbourhood Centre (H50 NC sp:98)
  - Neighbourhood Centre (NC sp:97)
  - Natural Heritage System (NHS)
  - Park (P)
  - Stormwater Maintenance Facility (SMF)
  - Sub-Urban (H50-S sp:96)

EXCERPT FROM MAP  
12 (6)



SCALE 1 : 9000