

Appendix C to Staff Report



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2023-014

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of lands described as 3269 and 3271 Dundas Street West (bcIMC Realty Corporation c/o QuadReal Property Group, Z.1333.01, 24T-11001)

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(1) 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 adding a new Section 8.85, 8.86, 8.87, 8.88 and 8.89 as follows:

85	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: LE
Map 12(1)		(2023-014)
8.85.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	Café	
8.85.2 Additional Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Notwithstanding any other provision of this By-law, all above and below grade <i>buildings</i> and <i>structures</i> and the following features shall be set back a minimum of 14.0 metres from the <i>lot line</i> abutting the boundary of the highway corridor/407 Transitway ROW: i) Any minimum required <i>parking space</i> , including a barrier-free <i>parking space</i> , <i>bicycle parking space</i> , or stacking lane; ii) Any <i>loading dock</i> ; iii) Any <i>aisle</i> leading to any of the features listed in subsections (i) and (ii) above.	
b)	The <i>lot line</i> abutting Dundas Street West shall be deemed the <i>front lot line</i> .	

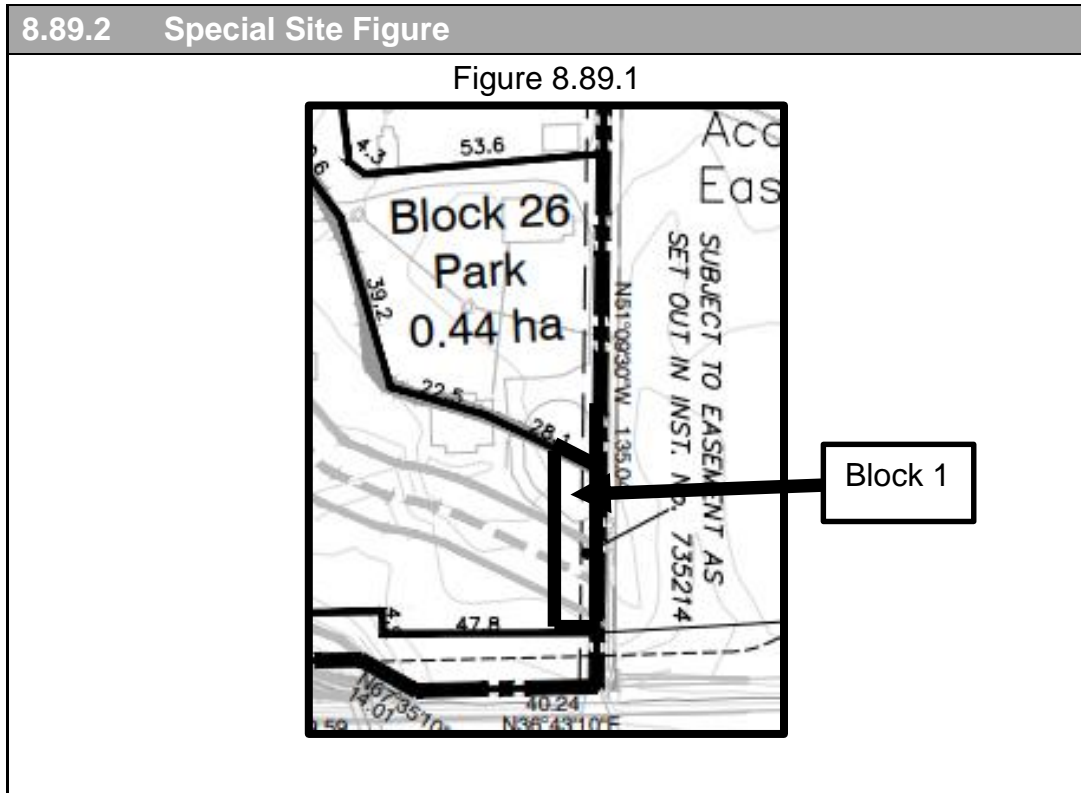
c)	Minimum <i>building height</i> for any portion of a <i>building</i> located within 60.0 m of the <i>lot line</i> abutting Dundas Street West	9 m
d)	Minimum <i>yard</i> abutting the NHS <i>zone</i>	7.5 m

86	3269 and 3271 Dundas Street West	Parent Zone: GE
Map 12(1)	(Part of Lot 33 and 34, Concession 1, NDS)	(2023-014)
8.86.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	<i>Café</i>	
8.86.2 Additional Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum width of <i>landscape strip</i> abutting the P <i>zone</i>	10.0 m
b)	Notwithstanding section 8.86.2 a), an access for emergency purposes is permitted to cross the required <i>landscape strip</i> .	
c)	Minimum <i>yard</i> abutting the NHS <i>zone</i>	7.5 m

87	3269 and 3271 Dundas Street West	Parent Zone: SA
Map 12(1)	(Part of Lot 33 and 34, Concession 1, NDS)	(2023-014)
8.87.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	<i>Limited Retail</i> , subject to the regulations of section 7.9.1.1	
b)	<i>Research and Development</i>	
8.87.2 Prohibited Uses		
The following <i>uses</i> are prohibited:		
a)	<i>Retail Store</i>	

88	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: SA
Map 12(1)		(2023-014)
8.88.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	Limited Retail, subject to the regulations of section 7.9.1.1	
b)	Research and Development	
c)	Gas Bar	
8.88.2 Prohibited Uses		
The following <i>uses</i> are prohibited:		
a)	Retail Store	
8.88.3 Additional Zone Provisions		
The following regulations apply to all lands identified as subject to this special provision:		
a)	Minimum <i>building height</i> for any portion of a <i>building</i> located within 60.0 m of the <i>lot line</i> abutting Dundas Street West	9 m
b)	Notwithstanding 8.88.3 a), minimum <i>building height</i> for a <i>gas bar</i>	5.0 m

89	3269 and 3271 Dundas Street West (Part of Lot 33 and 34, Concession 1, NDS)	Parent Zone: NHS
Map 12(1)		(2023-014)
8.89.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	Water and wastewater services in Block 1 identified in Special Site Figure 8.89.1.	



3. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 9.3.39, 9.3.40 and 9.3.41 as follows:

H39	3269 and 3271 Dundas Street West	Parent Zone: LE, GE, SA
Map 12(1)	(Part of Lot 33 and 34, Concession 1, NDS)	(2023-014)
9.3.39.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.39.2 Conditions for Removal of the “H”		
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 and Region of Halton</i> :		
a)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.	

b)	That an updated FSR be approved by Halton Region.
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H40	3269 and 3271 Dundas Street West	Parent Zone: LE, GE, SA
Map 12(1)	(Part of Lot 33 and 34, Concession 1, NDS)	(2023-014)

9.3.40.1 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:

- | | |
|----|--|
| a) | Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> . |
|----|--|

9.3.40.2 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by *Town Council* passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the *Town of Oakville and Region of Halton*:

- | | |
|----|---|
| a) | That the crossing of the West Fourteen Mile Creek tributary associated with the Arterial One extension has been constructed and operational, providing appropriate primary access for fire protection purposes. |
| b) | Confirmation that temporary water and wastewater services proposed along the easterly property limit commencing at Dundas Street West and extending to Avenue Three are available. |
| c) | Confirmation that the temporary fire prevention access along the easterly property limit commencing at Dundas Street West and extending to Avenue Three is available. |
| d) | That sufficient water and wastewater services are available to the satisfaction of the Region of Halton. |
| e) | That an updated FSR be approved by Halton Region. |

H41	3269 and 3271 Dundas Street West	Parent Zone: LE, GE
Map 12(1)	(Part of Lot 33 and 34, Concession 1, NDS)	(2023-014)

9.3.41.1 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:

- | | |
|----|--|
| a) | Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> . |
|----|--|

9.3.41.2 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following condition(s) shall first be completed to the satisfaction of the *Town of Oakville and Region of Halton*:

a)	That the extension of Colonel William Parkway and associated municipal servicing infrastructure have been constructed and operational through the easterly abutting lands and connects into proposed Avenue Three.
b)	That sufficient water and wastewater services are available to the satisfaction of the Region of Halton.
c)	That an updated FSR be approved by Halton Region.

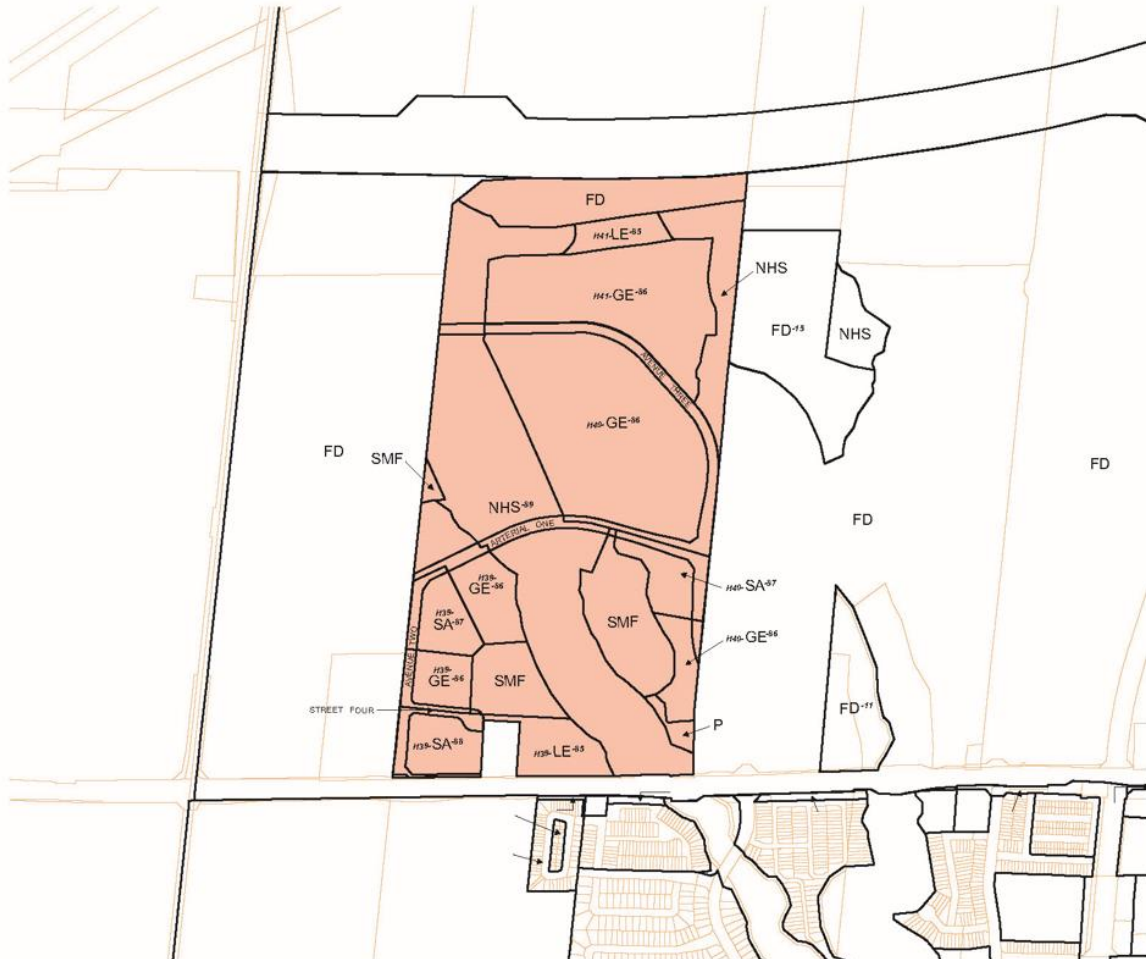
4. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this _____ day of _____, 2023

MAYOR

CLERK

SCHEDULE "A"
To By-law 2023-014



AMENDMENT TO BY-LAW 2009-189



Rezoned from Future Development (FD)
to Light Employment (H41-LE sp:85);
Future Development (FD);
General Employment (H40-GE sp:86);
Natural Heritage System (NHS);
General Employment (H41-GE sp:86);
Service Area - Employment (H40-SA sp:87);
Stormwater Management Facility (SMF);
General Employment (H39-GE sp:86);
Service Area - Employment (H39-SA sp:87);
Service Area - Employment (H39-SA sp:88);
Park (P);
Light Employment (H39-LE sp:85); and
Natural Heritage System (NHS sp:89);

EXCERPT FROM MAP
12 (1)



SCALE: 1:12,000