

Zoning By-law 2009-189

2.1 Zones (2012-001), (2013-065)

This By-law establishes the following *zones* and places all lands subject to this By-law in one or more of the following *zones*:

Table 2.1.1: Zones in the North Oakville Zoning By-law		
Zone	Symbol	Uses / Standards (non-operative)
Trafalgar Urban Core	TUC	5.1 and 7.1
Dundas Urban Core	DUC	5.1 and 7.2
Neyagawa Urban Core Area	NUC	5.1 and 7.3
Palermo Village North Urban Core	PUC	5.1 and 7.4
Neighbourhood Centre	NC	5.1 and 7.5
General Urban	GU	5.1 and 7.6
Sub-urban	S	5.1 and 7.7
High Density Residential	HDR	5.1 and 7.8
Light Employment	LE	5.1 and 7.9
General Employment	GE	5.1 and 7.10
Service Area - Employment	SA	5.1 and 7.11
Institutional	I	5.1 and 7.12
Future Development (2022-007)	FD	5.1 and 7.13
Natural Heritage System	NHS	5.1 and 7.14
Cemetery	CE	5.1 and 7.15
Park	P	5.1 and 7.12
Stormwater Management Facility	SMF	5.1 and 7.12
Automotive Service	AS	5.1 and 7.17

Future Development Zone

7.13 Future Development (FD) Zone Regulations *(2012-001)* *(2022-007)*

7.13.1 Permitted Uses

- i. The uses as permitted in Section 4.3.1.
- ii. Infrastructure for which an Environmental Assessment has been completed or which are required as a condition of approval under the Planning Act, subject to the following provisions:
 - a. Notwithstanding any other provision of this By-law, any *building* or *structure* for the purpose of providing or sheltering infrastructure shall not be subject to Section 7.13.2;
 - b. Any *building* or *structure* used for a *general office use*, *public works yard*, or *warehouse* shall not be permitted.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

7.13.2 Permitted Expansion of Legal Buildings and Structures

The existing *lot coverage* on the day of the passage of this by-law, for all existing *buildings* or *structures* and existing *accessory buildings* or *structures*, may be increased by a maximum of 10% subject to regulations of this section and section 5.

7.13.3 Maximum Height

10 metres except for *agricultural buildings*

7.13.4 Minimum Yards

Front Yard and *Flankage* - 9 m
Side Yard - 2.4 m
Rear Yard - 7.5 m

(Performance zones relocated by 2012-001 and 2013-065)

General Urban Zone

7.6 General Urban (GU) Zone Regulations

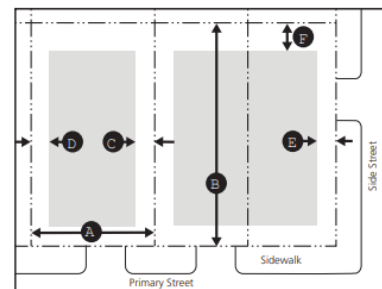
7.6.1 Uses Permitted

See Section 6.

7.6.2 Building Types Permitted and Related Standard						
Building Type	Minimum Lot Frontage	Minimum Lot Depth	Minimum Interior Side Yard Setback One Side	Min. Interior Side Yard Setback Opposite Side	Minimum Flankage Setback	Minimum Rear Yard Setback
	A	B	C	D		
<i>A single detached dwelling street access attached private garage</i>	8.5 m	22 m	1.2 m	0.6 m	2 m	7 m ¹
<i>A single detached dwelling street access detached private garage or parking pad</i>	8.5 m	22 m	3 m	0.6 m	2 m ^E	7 m ^E
<i>A single detached dwelling attached rear private garage accessed from the front or side</i>	9 m	26 m	3 m	0.6 m	2 m	0.3 m
<i>A single-detached dwelling with lane access</i>	8 m	17 m	1.2 m	0.6 m	2 m	0.75 m
<i>Semi-detached dwelling unit street access attached private garage</i>	5.5 m / unit	22 m	0.9 m	0.0 m	2 m	7 m
<i>Semi-detached dwelling unit street access detached private garage or attached rear private garage accessed from front or side</i>	5.5 m / unit	26 m	3 m	0.0 m	2 m	0.3 m

7.6.2 Building Types Permitted and Related Standard						
Building Type	Minimum Lot Frontage A	Minimum Lot Depth B	Minimum Interior Side Yard Setback One Side C	Min. Interior Side Yard Setback Opposite Side D	Minimum Flankage Setback E	Minimum Rear Yard Setback F
<i>Semi-detached dwelling unit with lane access</i>	5.5 m / unit	17 m	0.9 m	0.0 m	2 m	0.75 m
<i>Triplex or duplex</i>	7 m	23 m	1.5 m	1.5 m	2 m	0.75 m
<i>Townhouse dwelling unit street access private garage</i>	4.9 m / unit	23 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	6 m
<i>Townhouse dwelling unit with lane access</i>	5.5 m / unit	17 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.75 m
<i>townhouse dwelling unit back to back</i>	5.5 m / unit	12 m	Interior Unit 0.0 m Exterior Unit 1.2 m	Interior Unit 0.0 m Exterior Unit 1.2 m	2 m	0.0 m

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 4.0 m measured between the finished floor level of the first storey and the highest point of the roof of the one storey addition. (2022-007)



The grey represents potential building area. The internal dashed line represents the maximum yard.

7.6.3 Front Yard Types Permitted - Minimum Setback

Common Yard - 2.5 m
Porch Yard - 2.5 m
Inset Porch Yard - 2.5 m

7.6.4 Permitted Yard Encroachments

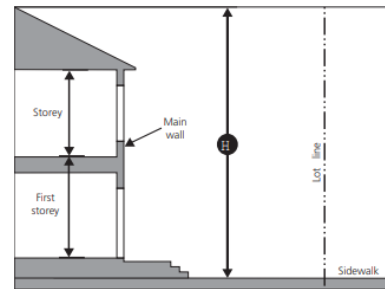
See Section 4.21

7.6.5 Maximum Height

Ⓜ 3 storeys

7.6.6 Parking

See Section 5



Height is measured to the tallest point of a building.

7.6.7 Accessory Buildings and Structures

See the following sections with respect to standards for:

<i>Accessory buildings and structures other than private garages and walkways</i>	See Section 4.14
<i>Detached private garages accessed by a driveway from a street</i>	See Section 4.15
<i>Detached private garages accessed by a lane</i>	See Section 4.16
<i>Attached private garages accessed by a lane</i>	See Section 4.17
<i>Attached private garages accessed by a street</i>	See Section 4.18
<i>Standards for parking pads</i>	See Section 4.19
<i>Enclosed and roofed walkways</i>	See Section 4.20

7.6.8 Minimum Landscape Area

Minimum *landscape area* - 10 %

7.6.9 Performance Zone Categories – General Urban (GU) Zone

7.6.9.1 General Urban Performance (GU-1) Zone 1

The regulations of the *GU Zone* shall apply in the General Urban Performance (GU-1) *Zone 1*, however, in addition an elementary *public school* shall be a permitted use subject to the regulations of the Institutional (I) *Zone*.

7.6.9.2 General Urban Performance (GU-2) Zone 2

The permitted *uses, buildings* and regulations of the *GU Zone* shall apply in the General Urban Performance (GU-2) *Zone 2*, however, notwithstanding the provisions of Section 5.1.3, Location of *Park-*

ing Spaces, the required *parking spaces* for any *use* may be located on the *lot* on which the *use* is located, and/or on one half of the *street* abutting the *lot* where the on-street parking is permitted.

7.6.9.3 General Urban Performance (GU-3) Zone 3

The permitted *uses, buildings* and regulations of the *GU Zone* shall apply in the General Urban Performance (GU-3) *Zone 3*, however, notwithstanding the provisions of Sections 4.15.2 and 4.16.3, *Maximum Height for Private Garages*, the maximum *height* if the *lot frontage* is 9 metres or more, for a roof, other than a flat roof, shall be 9 metres.

Natural Heritage System Zone

7.14 Natural Heritage System (NHS) Zone Regulations

(2012-001)

7.14.1 Permitted Uses

- i. The *uses* as permitted in Section 4.3.1;
- ii. *Infrastructure* located within one of:
 - a. A *public street*; or,
 - b. A future *public street* for which an Environmental Assessment has been completed or a Planning Act approval has been received.
- iii. The *use* of legally existing *buildings* and *structures* by new *accessory uses*.

7.14.2 Building Types Permitted

Legally existing *buildings* and *structures*.

7.14.3 Parking Standards

See Section 5

7.14.4 Performance Zone Categories – Natural Heritage System (NHS) Zone

7.14.4.1 Natural Heritage System Performance (NHS-1) Zone 1

In addition to the *uses* permitted in the Natural Heritage System (NHS) *Zone* in Section 6, *stormwater management facilities* and *accessory uses, accessory buildings* and *accessory structures* shall be permitted in the Natural Heritage Performance (NHS-1) *Zone 1*.

7.14.4.2 Natural Heritage System Performance (NHS-2) Zone 2

In addition to the *uses* permitted in the Natural Heritage System (NHS) *Zone* in Section 6, a private *driveway* with a maximum width of 6 m shall be permitted in the Natural Heritage Performance (NHS-2) *Zone 2*.

OMB Appeals

7.14.1(ii) Appeal seeks additional permitted locations for infrastructure. Section is otherwise in effect.

PL100041
(2009-189 original passage)

7.14.4.3 Natural Heritage System Performance (NHS-3) Zone 3

In addition to the *uses* permitted in the Natural Heritage System (NHS) Zone in Section 6, the legally existing *buildings* and *structures* in the Natural Heritage Performance (NHS-3) Zone 3 may be used, in addition to any legally existing *uses*, for institutional *uses* including an *art gallery* and *art school*.

4.21 Encroachments Permitted in Required Yards

Every *yard* shall be open and unobstructed from the ground to the sky by any *structures*, except for:

- i. lawful fences, signs, and retaining, noise and ornamental walls;
- ii. *driveways* and walks; and,
- iii. the encroachments listed in Table 4.21 which are permitted in association with either the main *building*, or an *accessory buildings* or *structures*, subject to compliance with the regulations listed in the columns of the Table 4.21.

Table 4.21 - Permitted Encroachments into Required Yards

	Structure	Yard in which Structure is Permitted	Maximum projection into required yard	Minimum Distance from Lot Line¹
(a)	Sills, belt courses, cornices, coves, pilasters, eaves, gutters, awnings, canopies or other non-structural architectural features	All	0.6m	n/a
(b)	Fire Escapes	<i>Rear & Side</i>	1.5m	0.6m from the <i>lot line</i>
(c)	Exterior stairways	<i>Rear & Side</i>	1.5m	0.6m from the <i>lot line</i>
(d)	<i>Balconies</i>	<i>All</i>	1.5m	1.5m unless overtop a <i>porch</i> in which case the <i>setbacks</i> shall be the same <i>setbacks</i> as the <i>setback</i> for a <i>porch</i> under sub-section (e)

Table 4.21 - Permitted Encroachments into Required Yards

Structure	Yard in which Structure is Permitted	Maximum projection into required yard	Minimum Distance from Lot Line¹
(e) <i>Uncovered platforms 0.6 m or greater in height measured from surrounding grade and porches, including a balcony on top of a porch including vertical supports and a roof above and landings. However, any exterior stair required to provide access to an uncovered platform or porch shall be permitted to encroach into any required yard.</i>	<i>Front</i>	1.5m	1m from the <i>front lot line</i> with exception of any exterior stair which may encroach to within 0.5m of the <i>front lot line</i> .
	<i>Rear</i>	2.5m	0.6m from the <i>rear lot line</i>
	<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the min. <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be 0m from an interior common wall
	<i>Flankage</i>	n/a	1m from the <i>flankage</i> with the exception of any exterior stair which may encroach to within 0.5m of the <i>flankage</i>
(f) Chimneys and gas fireplace projections and chases (with a maximum width of 1.8m)	<i>Front & Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>All other yards</i>	0.6m	0.6m from the <i>lot line</i>
(g) Bay, Box out and Bow Windows with or without foundations with a maximum width of 3m which may be a maximum of three storeys in height and which may include a door.	<i>Front & Flankage</i>	0.6m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>All other yards</i>	0.6m	0.6m from the <i>lot line</i>
(h) Uncovered stairs below grade accessing a main building	<i>Rear</i>	1.5m	0.6m from the <i>lot line</i>
	<i>Side</i>	0m	1.5m
(i) <i>Uncovered platforms less than 0.6m in height measured from surrounding grade</i>	<i>Front</i>	1.5m	1m from the <i>front lot line</i> and <i>flankage</i>
	<i>Interior Side</i>	n/a	0.6m from the <i>interior side lot line</i> except: i. where the platform is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m; and, ii. for <i>townhouse</i> and <i>semi detached</i> units in which case it may be over 0m from an interior common wall
	<i>All other yards</i>	n/a	0.6m from the <i>lot line</i>
(j) Unenclosed barrier free ramps	All	n/a	0.6m from the <i>lot line</i> unless the ramp is designed to allow drainage to occur underneath in which case the minimum <i>setback</i> shall be 0m

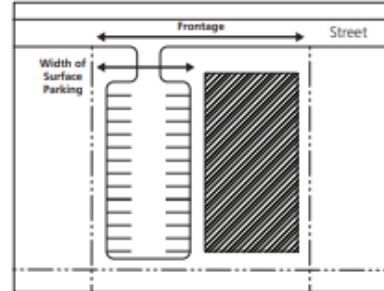
Minimum distance from lot line does not apply where minimum building setback is 0 metres.

Parking and Loading Regulations

5.1.6 Surface Parking Area Location

Where *surface parking areas* are permitted on lots which abut Trafalgar Road, the maximum *lot frontage* or *flankage* on Trafalgar Road occupied by *surface parking area* shall be:

<i>Office building</i>	50%
<i>Mixed use and apartment buildings</i>	20%
<i>Commercial buildings</i>	20%
<i>Parking garage</i>	5%
<i>Institutional building</i>	5%
<i>Hotel</i>	5%
<i>Commercial/Residential buildings</i>	5%



Surface Parking Frontage.

This shall be measured as the maximum percentage of *lot frontage* or *flankage* occupied by *surface parking area* where no *building edge* is located within 6 metres of the Trafalgar Road *lot frontage* or *flankage*. The only exception shall be where the By-law permits a greater *front yard* or *flankage setback*, in which case that setback shall apply.

5.1.7 Hardscape Surface Treatment (2022-007)

All *parking spaces*, *tandem parking spaces*, *parking pad*, *loading dock*, *aisles* and *driveways* in any Zone other than a Natural Heritage Zone shall be surface treated with asphalt, concrete, interlocking brick, similar hardscaped surface, or other material sufficient to provide stability, prevent erosion, be usable in all seasons, and allow infiltration of surface water.

Table 5.1A - Parking Requirements For Residential Uses

(4)	<i>Apartment - More than 4 storeys</i>	Up to 1.25 <i>parking spaces</i> per <i>dwelling unit</i> , plus 0.2 <i>parking spaces</i> per <i>dwelling unit</i> for visitors. Additional <i>parking spaces</i> shall not be permitted. In the Trafalgar Urban Core Zone, no <i>parking spaces</i> shall be permitted in a <i>surface parking area</i> , with the exception of visitor <i>parking spaces</i> which may be located underground, in a <i>parking garage</i> or in a <i>surface parking area</i> .
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Table 5.1B - Parking Requirements For Non-Residential Uses

(4)	<i>Café</i>	No <i>parking spaces</i> shall be required and a maximum of 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> shall be permitted. In the Trafalgar, Dundas, Neyagawa and Palermo Village North Urban Core Zones, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> or <i>on-street</i> .
(5)	<i>Club</i>	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and, 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum. In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> .
(6)	<i>Commercial fitness centre; or, Place of amusement</i>	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and, 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum. In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> .
(7)	<i>Commercial residential -combined</i> (mixed use)	The applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i> , while the applicable residential regulations apply to the <i>dwelling units</i> .
(8)	<i>Commercial residential -connected</i> (live-work)	Residential Component: 1 <i>parking space</i> minimum and 2 <i>parking spaces</i> maximum per <i>dwelling unit</i> which may be provided in tandem; and, Commercial Component: i) up to 90 square metres - 2 <i>parking spaces</i> ii) over 90 square metres - the applicable regulations for <i>non-residential uses</i> apply to the <i>non-residential floor area</i>
(9)	<i>Commercial school</i>	1 <i>parking space</i> per 30 square metres of <i>leasable floor area</i> minimum; and, 1 <i>parking space</i> per 20 square metres of <i>leasable floor area</i> maximum. In the Trafalgar Urban Core Zone, no additional <i>parking spaces</i> above the minimum shall be permitted, unless such parking is located in a <i>parking garage</i> .
(10)	<i>Commercial self storage</i>	1 <i>parking space</i> per 650 square metres of <i>leasable floor area</i> minimum.

Section 3.0

Definitions

“**stormwater management facility**” means an end-of-pipe, managed detention or retention basin, which may include a permanent pool, designed to temporarily store and treat collected stormwater runoff and release it at a controlled rate or direct it for an intended *reuse*. (2012-001)