

APPENDIX B: APPLICANT SUBMITTED DRAFT ZONING BY-LAW

BY-LAW NUMBER 2019-XXX

A by-law to amend the North Oakville Zoning By-law 2009-189 to permit the use of lands described as Part of Lot 13, Concession 1, N.D.S., Town of Oakville (3064 Trafalgar Road Holdings Inc.(Distrikt), File No. to be Assigned)

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(5) of By-law 2009-189 is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 8, Special Provisions, of By-law 2009-189 is amended by adding a new Section 8.**, as follows:

TUC-***	3064 Trafalgar Road (Part of Lot 13, Concession 1, N.D.S)	Parent Zone: TUC
Map 12(5)		(2019-XXX)
8.XX.1 Only Building Types Permitted		
The following <i>uses</i> are the only <i>uses</i> permitted:		
a)	<i>Apartment Dwelling</i>	
b)	Underground <i>Parking Garage</i>	
8.XX.2 Zone Provisions for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Maximum <i>height</i> for an <i>Apartment Dwelling</i>	15 storeys and 45 m
b)	Maximum <i>height</i> for an <i>Apartment Dwelling</i> (upon execution of a Section 37 Agreement)	30 storeys and 94 m
c)	Minimum <i>height</i> of a storey of an <i>Apartment Dwelling</i> containing non-residential and ancillary residential uses	4.5 m
d)	Maximum Floor Space Index	Shall not apply
e)	Stairs and air vents associated with an underground parking structure are permitted in any yard.	

8.XX.3 Parking Regulations	
a)	A stacked <i>parking space</i> that is positioned above or below another <i>parking space</i> and is accessed only by means of an elevating device shall not be included in the number of <i>parking spaces</i> provided for a lot.
b)	The minimum aisle width is not required for a stacked <i>parking space</i> that is positioned above or below another <i>parking space</i> and is accessed only by means of an elevating device.
8.XX.3 Bonusing Provisions	
In order to permit the increased <i>height</i> permissions contained in this Special Provision, zoning compliance for <i>building height</i> above 15 <i>storeys</i> for an apartment <i>building</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the Planning Act. 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)	Financial 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 1.3 b) (i) of the Town's 2006 Official Plan or the North Oakville East Secondary Plan.

3. Section 9, Holding Provisions, of By-law 2009-189 is amended by adding a new Section 9.3.** as follows:

H**	3064 Trafalgar Road (Part of Lot 13, Concession 1, N.D.S)	Parent Zone: TUC, NHS
Map 12(5)		(2019-XXX)
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 <i>used</i> for the following:		
a)	<i>Uses permitted in the ED zone.</i>	
9.3.40.5 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</i> :		
a)	That water and wastewater Servicing Allocation has been secured for the subject lands and the proposed development through Halton Region; and that Halton Region provides correspondence indicating that sufficient water and wastewater servicing allocation has been secured to support the development.	

b)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> .
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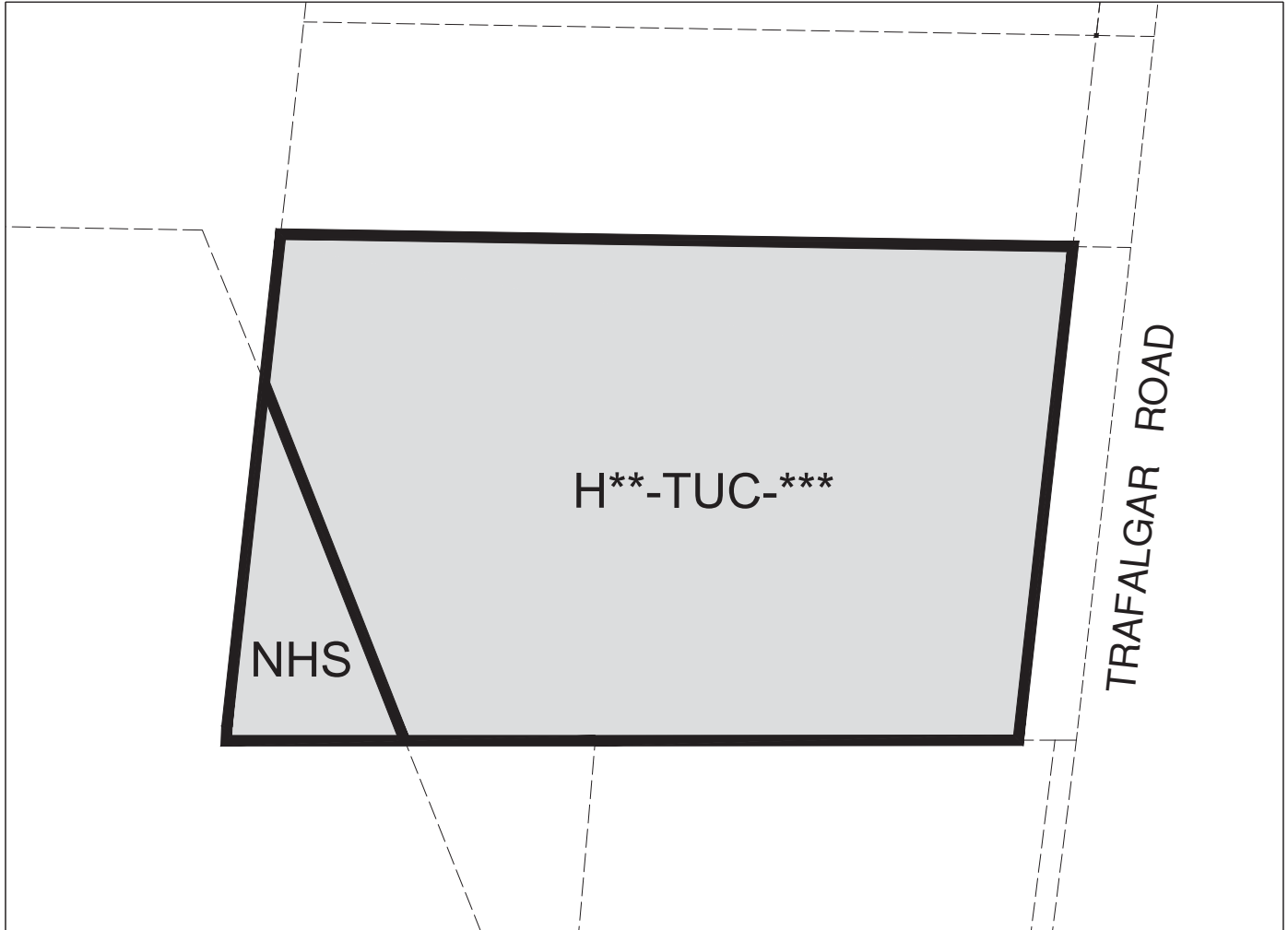
4. This By-law comes into force in accordance with Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this XXth day of _____, 2019

MAYOR

CLERK

Schedule "A" To 2019 - ***



AMENDMENT TO BY-LAW 2009-189



Re-zoned From: Existing Development (ED) to
Trafalgar Urban Core (H**-TUC-***) and;
Natural Heritage System (NHS)



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