



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2018-108

A by-law to amend the North Oakville Zoning By-law
2009-189 to permit the use of lands described as
1005 Dundas Street East and 3033 Eighth Line
(Oakville Urban Core Developments,
File No.: 1310.13)

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(5) 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 8.60 as follows:

60	Oakville Urban Core Developments	Parent Zone: DUC
Map 12(5)	1005 Dundas Street East and 3033 Eighth Line	2018-108
8.60.1 Only Building Types Permitted		
The following building types are the only building types permitted:		
a)	Apartment dwelling	
b)	Townhouse dwelling	
c)	Underground parking garage	
8.60.2 Zone Regulations for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	The lot line abutting Dundas Street East shall be deemed the front lot line.	
b)	Minimum front yard	2.0 m
c)	Maximum front yard	5.0 m
d)	Minimum rear yard	5.6 m
e)	Maximum rear yard	5.7 m

f)	Minimum <i>flankage yard</i> for an <i>apartment dwelling</i>	2.0 m
g)	Maximum <i>flankage yard</i> for an <i>apartment dwelling</i>	7.0 m
h)	Minimum <i>flankage yard</i> for a <i>townhouse dwelling</i>	3.0 m
i)	Maximum <i>flankage yard</i> for a <i>townhouse dwelling</i>	5.5 m
j)	Minimum <i>interior side yard</i>	3.0 m
k)	<i>Height</i> for an <i>apartment dwelling</i>	8 storeys
l)	Maximum <i>height</i> for an <i>apartment dwelling</i>	29.0 m
m)	Minimum <i>height</i> for a <i>townhouse dwelling</i>	3 storeys and 9.0 m
n)	Minimum <i>setback</i> from the <i>front lot line</i> for a <i>townhouse dwelling</i>	40.0 m
o)	Rooftop mechanical equipment, elevator penthouse or stairwell access tower exceeding 2 metres in <i>height</i> , measured from the top of the roof, that are not integrated with the extension of the <i>building's</i> façade, must be set back a minimum of 4 metres from the edge of the roof and screened by an opaque architectural feature.	
p)	For <i>townhouse dwellings</i> a <i>porch</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, not including any vertical plane abutting the <i>building</i> wall or screening.	
8.60.3 Parking Regulations		
The following parking regulations apply:		
a)	Minimum number of <i>parking spaces</i> for an <i>apartment dwelling</i>	1.35 <i>parking spaces</i> per <i>dwelling unit</i> of which 0.25 <i>parking spaces</i> per <i>dwelling unit</i> are designated visitor <i>parking spaces</i>
b)	Minimum number of <i>parking spaces</i> for a <i>townhouse dwelling</i>	2.0 <i>parking spaces</i> per <i>dwelling unit</i> of which 0.25 <i>parking spaces</i> per <i>dwelling unit</i> are designated visitor <i>parking spaces</i>

c)	Minimum number of designated accessible <i>parking spaces</i> for residential uses	2% of the number of <i>parking spaces</i> required
d)	Minimum <i>setback</i> from the <i>lot line</i> abutting Dundas Street East for a visitor <i>surface parking area</i> or an above <i>grade parking garage</i>	30.0 m
e)	Minimum <i>setback</i> from all <i>lot lines</i> for an underground <i>parking garage</i> , including ventilation shafts/housing, stairways, and other facilities associated with an underground <i>parking garage</i>	0.0 m
f)	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> .	
8.60.4 Special Site Provisions		
The following additional provisions apply:		
a)	A visitor <i>surface parking area</i> shall be set back a minimum of 0.5 m from any <i>townhouse dwelling</i> .	
b)	A minimum of 80% of the cumulative length of an <i>apartment dwelling building wall</i> oriented toward any <i>front lot line</i> and <i>flankage lot line</i> shall be located within the area defined by the minimum and maximum <i>front and flankage yard</i> for the first 12 metres of <i>building height</i> .	

3. Section 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 9.3.20 as follows:

H20	Oakville Urban Core Developments 1005 Dundas Street East and 3033 Eighth Line	Parent Zone: DUC
Map 12(5)		2018-108
9.3.20.1 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> .	
9.3.20.2 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 <i>Planning Act</i> . 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 Owner has submitted, to the satisfaction of the Region of Halton, an update to the Functional Servicing Study establishing that there is sufficient capacity for water and/or sanitary sewer to service the subject lands and to discuss any downstream capacity constraints within the sanitary sewer systems.
c)	The Owner has submitted, to the satisfaction of the Region of Halton, a Phase 2 Environmental Site Assessment and any recommended environmental reports, along with a Letter of Reliance extending Third Party Reliance to the Region of Halton, which demonstrate that the lands are free and clear for their intended use.
d)	That the Owner submits to the Region of Halton, acknowledgement from the Ministry of Tourism, Culture and Sports of receipt of the Stage 2 Archeological Assessment, and any additional recommended Archaeological Assessments as identified by the Qualified Professional, prior to the approval for the development or site alteration of these lands, to the satisfaction of the Region of Halton.
e)	That the Owner has submitted, to the satisfaction of Conservation Halton and the Town of Oakville, an update to the Functional Servicing and Preliminary Stormwater Management Report, prepared by Crozier and Associates Inc., dated May 2018, through the site plan review process to demonstrate that the unique nature of the stormwater management criteria for the subject lands.

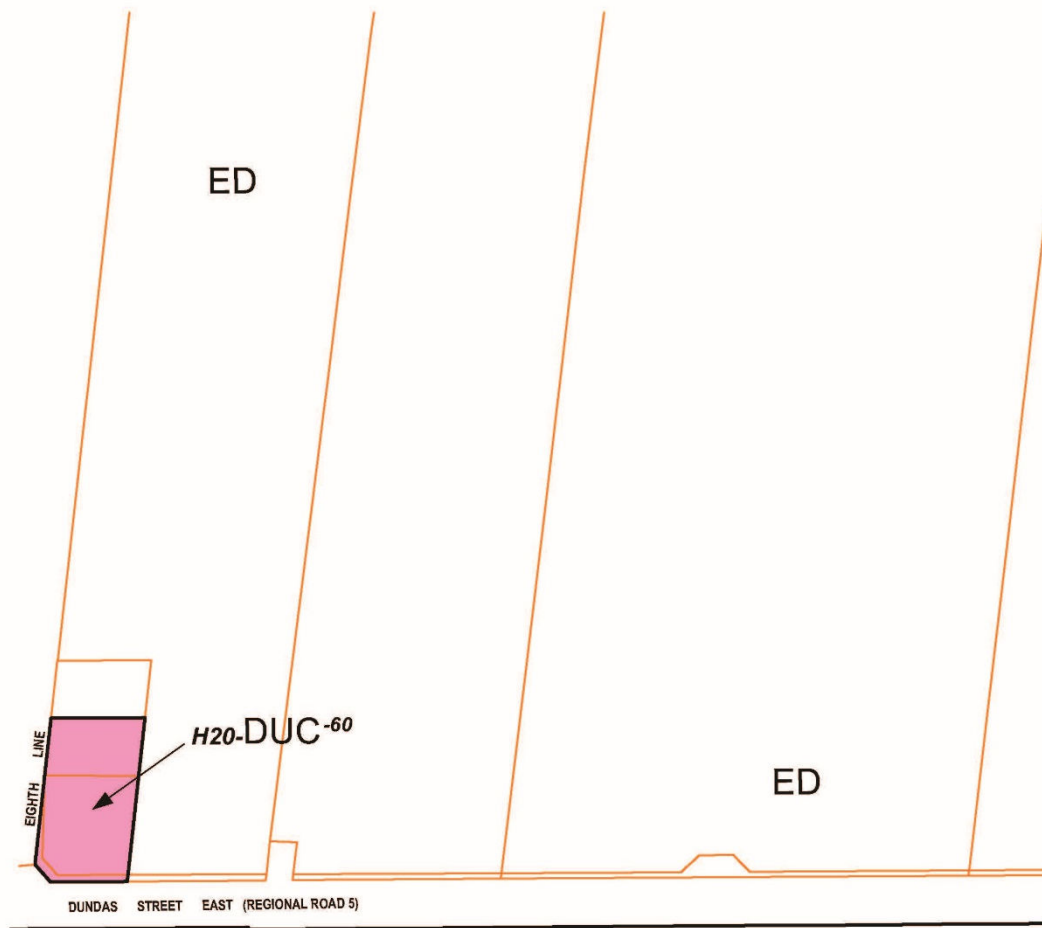
4. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 10th day of December, 2018

MAYOR

CLERK

SCHEDULE "A"
To By-law 2018-108



AMENDMENT TO BY-LAW 2009-189

 Rezoned from Existing Development (ED)
to Dundas Urban Core (H20-DUC sp:60)

EXCERPT FROM MAP
12 (6)



SCALE 1 : 5000