

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2013 – 106

A by-law to amend the Town of Oakville's Comprehensive Zoning By-law 1984-63, as amended, to permit the development of 29 residential uses and ancillary retail on lands described as 70 Old Mill Road, Part of Lot 14, Concession 3, S.D.S.
(File No.: 2317511 Ontario Inc. – Z.1614.71)

COUNCIL ENACTS AS FOLLOWS:

1. Map 91(8) of By-law 1984-63, as amended, is further amended as shown on Schedule 'A', by rezoning parts of the lands identified as:

R8-578 to H56-R8-578

2. By-law 1984-63, as amended, is further amended by replacing the header of Section 89(578) as follows:

Special Provision	Applies to / Location	By-law Number
578	Oakridge Heights Limited (formerly Genstar Development Co. (Eastern) Ltd.) Part of Lots 14, 15 Con. 3, S.D.S – 40, 50, 60 and 70 Old Mill Road	(1994-144) (2002-093) (2003-138) (2007-096) (2008-051) (2013-106)

3. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (i) and replacing it with the following:

“i) Maximum number of residential units – 336 with the maximum number of units foreach of the buildings identified in Schedule “C” further regulated as follows:
40 Old Mill Road – 113 units
50 Old Mill Road – 102 units
60 Old Mill Road – 92 units
70 Old Mill Road – 29 units
One residential unit in each of the four buildings at 40, 50, 60 and70 Old Mill Road may be used as a superintendent suite and is not included in the unit count noted above.

4. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (v) (l) and replacing it with the following:

“v) Maximum building Height –

-
- (I) For those buildings located on Building Envelope A on Schedule “C” to By-law 2003-138 and identified as:
40 Old Mill Road: - 12 storeys and 41 m above established grade
excluding roof top mechanical facilities which will have a maximum height of 8m;
50 Old Mill Road: - 10 storeys and 35 m above established grade
excluding roof top mechanical facilities which will have a maximum height of 8m;
60 Old Mill Road: - 10 storeys and 35 m above established grade
excluding roof top mechanical facilities which will have a maximum height of 8m;
70 Old Mill Road: - 36 metres (10 storeys), measured from the centrepoint of the lot line abutting Cornwall Road and excluding roof top mechanical facilities which will have a maximum height of 7 metres.
5. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (vi) and replacing it with the following:
- “vi) Average residential unit size – Maximum 112.5 m², except that for the building at 70 Old Mill Road, no maximum unit size shall apply.
6. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (vii) (I) and replacing it with the following:
- “vii) Parking – The regulations as set out in Section 15 and Section 43 of By-law 1984 apply except where in conflict with the following:
- (I) Residential uses- regardless of ownership – 1.75 paved parking spaces per unit of which 0.25 paved parking spaces per unit will be designated visitor parking and may be located underground and one parking space for each of the units to be used as the superintendent suites, except that for the building at 70 Old Mill Road, the rate shall be 1.25 paved spaces per unit inclusive of visitor parking and may be located underground. A maximum of 20% of the residential parking may be provided in tandem provided both spaces are assigned to one residential unit. Visitor parking shall not be provided in tandem.
7. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (vii) (II) and replacing it with the following:
- “vii) Parking – The regulations as set out in Section 15 and Section 43 of By-law 1984 apply except where in conflict with the following:
- (II) Commercial uses – No minimum number of parking spaces is required. Visitor parking associated with a residential use, and client parking associated with a commercial use, may be provided in any combination of: a parking structure (below and/or above grade), and/or a surface parking area and may be used for any combination of residential and commercial uses.
8. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (xii) and replacing it with the following:
-

“A combined maximum of 155 m² of leasable floor area of C1 uses permitted in Section 3(b)(ii) of By-law 2003-138 are permitted, such uses to be located on the first storey provided that such uses are located completely within 33 m of Old Mill Road. The uses must be located in a contiguous manner. Common areas accessory to the residential uses within the building will not affect the continuity of the C1 uses.

9. By-law 1984-63, as amended, is further amended by deleting Subsection 89(578) c) (xiii) and replacing it with the following:

“Minimum building height – 22 metres (6 storeys)

10. By-law 1984-63, as amended, is further amended by adding to Subsection 89(578) c) (xiv) as follows:

“Minimum setback of 70 Old Mill Road from westerly property limit (Part 126, 20R-13750): 1.5 metres

11. By-law 1984-63, as amended, is hereby further amended by adding to Section 90B, a new subsection H56 as follows:

“H56 – 2317511 Ontario Inc., 70 Old Mill Road

Zoning Designations	Special Provisions	Zoning Map
H56 – R8	578	91(8)

a) Permitted Uses (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall only be used for existing uses, buildings and structures.

b) Regulations (Prior to “H” removal)

For such time as the “H” symbol is in place, these lands shall be subject to the regulations to which they were subject under By-law 1984-63, as amended, on the day before By-law 2013-106 was approved the Town of Oakville.

c) Conditions for “H” Removal

The “H” symbol shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition has been satisfied:

1. Halton Region's Commissioner, Legislative & Planning Services, or his or her designate, is satisfied that a Record of Site Condition (RSC), acknowledged by the Ministry of Environment (MOE), has been submitted to ensure that all environmental concerns have been satisfied.”

12. This by-law comes into force upon the day it is passed if no appeal is filed pursuant to subsection 34(19) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. Where one or more appeals have been filed under subsection 34(19) of the *Planning Act* R.S.O.



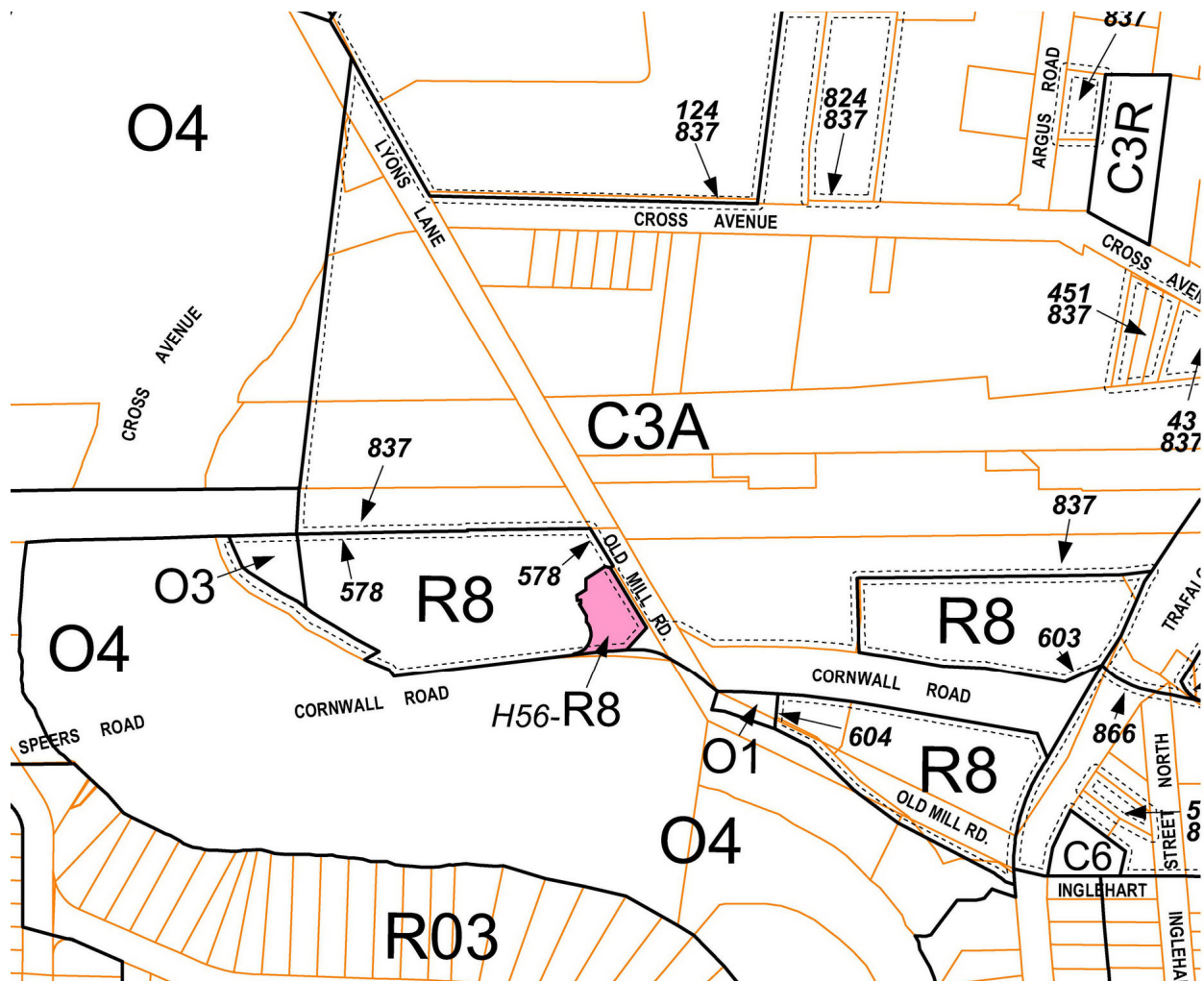
1990, c.P.13, as amended, this by-law comes into effect when all such appeals have been withdrawn or finally disposed of, whereupon the by-law, except for those parts which are repealed or amended by the Ontario Municipal Board pursuant to Subsection 34(26) and 34(30) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, shall be deemed to have come into force on the day it was passed.

PASSED by the Council this 21st day of October 2013

Mayor

Clerk

Schedule 'A' to By-law 2013-106



PROPOSED AMENDMENT

 AFFECTED LANDS

EXCERPT FROM MAP
91 (8)



SCALE 1 : 4000