

Some of the changes proposed cover multiple regulations or issues. The appropriate analysis and commentary has been placed in the section most affected by the change, with cross-references inserted into other sections. Care should be taken to read the entirety of the final draft (v3.1) to understand the full scope of changes proposed. “Other sections” cross-references have been provided for convenience purposes and not all affected sections may be captured in this table.

Where a revision has been made and no comment is provided in the following table, the revision is editorial in nature and recommended to remove a duplicate clause or clarify intent and applicability of the definition, permission, or regulation.

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Part 1 – Administration		
1.4(c)	Certificates of Occupancy	Certificates of compliance are currently not required for home-based businesses. Accordingly, this requirement is recommended to be deleted.
1.9	Transition Matters	<p>While there have been a number of edits and a reorganization of the clauses, the intent and effect of the clauses is recommended to remain the same: to permit landowners to build in accordance with recently approved minor variances, approved site plans (conditional or final), and granted consents.</p> <p>Use permissions are recommended to be deleted from the transition clauses. Many uses associated with the buildings covered by the two scenarios above are permitted by the Livable Oakville Plan or the draft Zoning By-law 2014-014 (either through a parent zone permission or new Special Provision) to cover the scenario.</p> <p>Planning applications in process are proposed to be reviewed under the zoning rules in force. This means for some time an application will need to conform to <u>both</u> Zoning By-law 1984-63, as amended, and the 2014 Zoning By-law. Applicants would need to comply with both sets of zoning regulations or seek relief or amendments to one – or possibly both – By-laws.</p> <p>Additional comment is provided in the main report.</p>
Part 2 – Establishment of Zones		
2.3.2(b)	Split zoning	A new interpretive clause is proposed to permit parking spaces required on a lot in any Zone on the property, except on lands in an Environmental Zone such as Natural Area N.

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Part 3 – Definitions		
"Balcony" and "porch" edit	Revisions are recommended to clarify that all such platforms are balconies or porches (respectively), regardless of whether or not a portion is enclosed. A fully enclosed platform would be considered a "building".	
"Business office" edit	The addition of "research and development" is recommended to clarify the term that would generally apply to this use. The ultimate determination of the "use" on a lot is context-specific and determined at the time of application (i.e. Site Plan, Zoning By-law Amendment, Zoning Certificate of Occupancy).	
"Campground" edit	Including "recreational vehicles" defers to the listing of recreational vehicles later in the By-law, which is more comprehensive and complete than the list found under this term in the second draft (v2.0).	
Deleted terms: "Commercial plaza" and "Industrial Plaza" (Other sections: 5.2)	The inclusion of these definitions, used only as parking regulations, was unclear and causing confusion with respect to use permissions within each. It is instead recommended to explicitly state the building and site layouts where a blended parking rate would apply in the appropriate parking requirement table.	
Deleted term: "Deck"	Returning to the definition of "uncovered platform" is recommended to continue forward using current interpretive practices.	
"Dwelling, apartment" edit	The definitions framework in the second draft (v2.0) did not adequately address dwelling units above commercial premises in Downtown Oakville and Kerr and Bronte Villages. A second part to the definition is proposed to recognize and appropriately classify these dwellings.	
"Emergency service facility" edit	The definition is recommended to be revised to clarify that only facilities operated or authorized by a public authority (i.e. Town of Oakville, Halton Region) shall be classified as emergency service facilities.	
"Floor area, net" edit	<p>Additional floor area is recommended to be excluded from net floor area calculations – used for establishing parking requirements and a number of floor area maximums in the By-law. These include storage areas, floor areas used for garbage containment, and parking structures.</p> <p>To clarify, area within a basement is included as "net floor area" if the area is not part of any of the exclusions listed in the definition. Such areas would count toward net floor area.</p>	
New "Floor area, residential" and "Residential floor area ratio"	A new "residential floor area" term is necessary to implement the recommendation regarding lot coverage and floor area maximums in the -0 Suffix Zone. The list of spaces counted as	

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terms (Other section: 6.4.2)		<p>residential floor area includes a number of items currently excluded from the Zoning By-law 1984-63, as amended, all exterior walls, attic spaces greater than 1.8 metres in height, and tall spaces within private garages. The definition ensures that all usable floor area – essentially, any space within the building capable of meeting vertical clearance requirements of the Building Code – are counted toward the floor area requirements of Zoning By-law 2014-014.</p> <p>A corresponding “residential floor area ratio” definition is additionally required to specify how the new floor area ratio term itself is calculated: by dividing the residential floor area as calculated above by the lot area.</p> <p>Additional comment is provided in the main report.</p>
New “food bank” term (Other sections: 8.2, 9.2, 10.2, 11.2)		<p>The definition of “food bank” from the first draft (v1.0) and all associated use permissions (broadly permitted in Mixed Use, Commercial, Employment, and Institutional I and Community Use CU Zones) is recommended to be restored to clarify the zone framework for the use.</p>
New “garbage enclosure” term (Other section: 4.7)		<p>The definition of “garbage enclosure” from the first draft (v1.0) is recommended to be restored to give effect to the enhancements in the provision of garbage containment detailed in Appendix E of this report and imminent Livable by Design guidelines.</p>
New “grade” term		<p>Renaming and redefining the “surrounding grade” definition to match the term and definition used in the Ontario Building Code is recommended to synchronize zoning and building review practices.</p>
“Hotel” edit		<p>A revision is recommended to clarify that the additional use permissions included in the definition are required to be in the same building as the hotel. Where the additional use permissions are also permitted in the same parent zone, the interpretation of the permission would be that the parent zone permissions additionally apply to provide flexibility to the landowner/developer/proponent.</p>
“Industrial use” deletion and addition of new “manufacturing” and “warehousing” terms		<p>Based on consultation undertaken, it is recommend that the consolidated “industrial use” term be split into two new terms: “manufacturing” and “warehousing.” These terms, along with a planned different interpretation for the “repair shop” permission (supported by an edit to the “service commercial establishment” term) better communicate the intent of the permissions of the Livable Oakville Plan.</p>
“Lane” edit		<p>The deletion of access by vehicle language is recommended as lanes are not proposed to be used for primary means of vehicular access to lots south of Dundas Street.</p>

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	"Lot area" edit	The underwater and below top-of-bank clauses currently contained in Zoning By-law 1984-63, as amended, are recommended to be restored to the zoning definition of lot area to recognize a number of lots in Oakville entirely designated as Low Density Residential (and therefore not proposed to be zoned Natural Area N) but not eligible for a building permit due to hazard conditions, as well as water lots in Lake Ontario.
	New "Mechanical penthouse" term (Other section: 4.6.4)	This new term is recommended to clarify which service features can be counted toward the harmonized Town-wide exceptions to height permissions for rooftop mechanical equipment.
	"Motor vehicle" edit	Recreational vehicles and trailers are recommended to be added to this definition in order to properly classify and permit the repair and sale of such vehicles in the same locations as motor vehicles.
	"Outside display and sales area" edit	The words "that may contain a building or structure" are recommended to be added to clarify that the regulations of the By-law speak to the area of land. Should a building be sited on the lands, a minimum parking requirement would apply only for the building within the space.
	Deleted term: "parking space, parallel"	The term is proposed to be deleted as it is not applied anywhere in the final draft (v3.1).
	"Service commercial establishment" edit	Minor additions are recommended that provide additional clarity as to the types of businesses permitted under this banner.
	"Sports facility" edit (Other section: 5.2)	Adding outdoor areas to the permission of sports facility is recommended to clarify that both indoor and outdoor activities are permitted.
	"Storey, One and one half" edit	The definition is proposed to be moved to the Special Provisions where the term currently applies. For all other areas, Building Code determinations as to what constitutes a full storey within a building would apply.
	"Training facility" edit	The words "or profession" are recommended to be deleted to clarify that training facilities are for trades purposes – generally associated larger premises sizes and different safety and materials storage requirements. Traditional classroom environments are intended to be interpreted as "commercial schools" under the language of the final draft (v3.1).
	"Yard" edit	A revision is recommended adding "above and below grade" to incorporate current interpretive practices regarding yards – that the setback is to be measured both above grade and below grade – directly into the By-law.

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Part 4 – General Provisions		
4.3	Allowable projection: porches without a foundation	The broad, Town-wide projection for porches without foundations contained in the second draft (v2.0) is recommended to be deleted. On further discussion, it is recommended that the current framework – making porches subject to the yard requirements of the parent zone – continues to be practical and should be maintained.
4.3	Allowable projection: uncovered platforms taller than 3.0 metres above grade (Other section: 6.4.5)	A revision is recommended that applies a limitation on taller balconies and uncovered platforms that, in the second draft (v2.0) was limited to the -0 Suffix Zone, Town-wide. Using the same 3.0 metre height above grade, uncovered platforms (i.e. decks) at this height would have the same treatment applied as if the structure was a balcony. The uncovered platform would be limited to a maximum 1.5 metre (5 foot) projection into the rear yard only, and not be permitted in any other yard. This would apply in all zones.
4.3	Allowable projection: window wells	The projection is proposed to be deleted as it could potentially interfere with other development engineering issues (i.e. drainage flow).
4.6.3	New clause: parapets	<p>A new clause is recommended clarifying projections permitted for parapets beyond the maximum height permitted in a zone. The maximum projection would be 2.0 metres (6 feet) and has been previously applied in Special Provisions and at the Site Plan Approval stage.</p> <p>Parapets would not be permitted in any Residential Low RL Zone (detached dwellings and semi-detached dwellings).</p> <p>In any Residential Medium RM Zone, the parapet would need to be set back from the edge of the roof an amount equal to the height of the parapet if it is more than 0.3 metres (1 foot) in height. This setback would have the effect of providing additional screening and privacy to and from adjacent lots and space on a rooftop, in accordance with the Design Guidelines for Stable Residential Neighbourhoods. The Building Code specifies appropriate construction requirements for parapets.</p> <p>Relief from this provision could be considered through a development application (i.e. Minor Variance or Zoning By-law Amendment, depending on the proposal).</p>
4.6.4	Rooftop mechanical equipment and mechanical	This general provision has been moved back here from Section 4.23 in the second draft (v2.0). A number of edits are proposed based upon the addition of the definition of “mechanical penthouse.” Language is standardized throughout the clause to give effect to the

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	penthouses	<p>recommendation that the final draft (v3.1) clearly state which type of structures are permitted as or within a “mechanical penthouse.”</p> <p>An addition is recommended to clarify that no additional projection for rooftop mechanical equipment or mechanical penthouses is permitted as-of-right in any Residential Low RL (detached and semi-detached dwellings) or Residential Medium RM1 (townhouses) and RM2 (back-to-back townhouses) Zone.</p> <p>Relief from this provision could be considered through a development application (i.e. Minor Variance or Zoning By-law Amendment, depending on the proposal).</p>
4.6.5	Skylights	<p>Based on consultation and further research, a new section exempting skylights from height maximums is recommended. A number of municipalities (Burlington, Mississauga, Ottawa, London) provide a blanket exception for skylights, while others (Hamilton) include limits in area coverage and height. Committee of Adjustment decisions from 2013 were reviewed and variances were approved to allow projections between 0.1 metre (10 centimetres, or 3½ inches) and 0.75 metres (2½ feet). In reviewing design specifications from three manufacturers, the largest single dimension of a prefabricated skylight available was 2.4 metres (8 feet), with that model being rectangular and 0.6 metres (2 feet) wide.</p> <p>Allowing the additional projection is recommended, but subject to a limitation in terms of dimension and area coverage on a roof to ensure that the overall height of the building remains limited. This additional flexibility will allow low profile skylights (which, at two feet, should be limited in visibility from a public street) to be constructed as-of-right. Continued monitoring of development applications is recommended to ensure the regulation remains appropriate.</p>
4.9	Home occupations	<p>The limitation on uses permitted as home occupations is recommended to be restored in the final draft (v3.1). Further research has identified conflicts that have arisen in municipalities where permissions were broadened to allow for a broad range of uses and services. The uses listed in the first draft (v1.0) are those identified in other municipalities (chiefly, Mississauga), through detailed studies, as compatible and appropriate in a residential neighbourhood.</p>
4.11	Landscaping	<p>Surface parking area landscaping requirements have been moved into this Section to centralize the regulations. The 0.5 metre sharing provision is proposed to be increased to 1.0 metre to provide additional flexibility.</p>

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		<p>Landscaping required on a lot line adjacent to the highway corridor has been increased to 14.0 metres from the current 12.5 metres to match the Ministry of Transportation’s size of the Corridor Control Area.</p> <p>The Central Business District CBD Zone is added to the table as it is additionally classified as a Mixed Use Zone and should be subject to the same regulation as the Main Street 1 MU1 and Main Street 2 MU2 Zones.</p> <p>The Employment Zone requirement is reduced to 3.0 metres, matching the corresponding minimum front and flankage yard reductions in those zones.</p>
4.12.1(b)	Legal existing landscaping	A new clause is proposed to recognize legal existing undersized widths of landscaping as subject to the same legal non-conformity clause. This has the effect of allowing new construction on a without necessitating the need to increase the widths, a protection afforded to landowners through the <i>Planning Act</i> . At the time of a future Site Plan approval, proponents would be encouraged to upgrade landscaping wherever possible, or to provide additional landscaping elsewhere on the lot.
4.12.4	Acquisition by a public authority	Subsection (b) is proposed to be revised to better clarify which areas of a lot (pre- and post-acquisition) shall be used for evaluating compliance with specified zone standards.
4.15	0.3 m reserves [Other section: former 4.13(b)]	<p>A new general provision is needed to recognize and provide interpretive direction regarding 0.3 metre (1 foot) reserves. The typical approach in zoning by-laws, including the North Oakville Zoning By-law 1984-63, as amended, is to deem these reserves to the part of a public road, therefore giving lots frontage on a public road. Once the reserves are lifted, the land generally becomes part of the road allowance.</p> <p>Where the 0.3 metre reserves was deemed to be part of the lot through a zoning by-law amendment to Zoning By-law 1984-63, as amended, and the Special Provision is proposed to be included in the final draft (v3.1), this modified provision has been included in the Special Provision. Remaining lots not otherwise meeting yard or lot area requirements would become legal non-conforming and therefore obtain the protections provided under the proposed Section 4.12 and the <i>Planning Act</i>.</p>
4.16.2	Outdoor swimming	A new provision is proposed to clarify that outdoor swimming pools and hot tubs accessory to

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	pools	any non-residential use are subject to the minimum yards for the applicable zone.
4.17(d)	Outside display and sales areas	Based on consultation, the maximum 5.0 metre width for outside display and sales areas contained in the second draft (v2.0) is proposed to be deleted. In its place, a new regulation is proposed requiring the longest dimension of the area to be abutting the main wall of the associated building. This will allow for larger areas and recognizes a number of legal existing areas in Oakville. Relief from this clause could be considered through an application for minor variance.
4.18	Patios	The 100.0 metre prohibition in Employment Zones is proposed to be replaced with a prohibition on patios on any lot abutting any Residential Zone. This mirrors the permissions for drive-through facilities in Employment Zones which is additionally based on impacts from noise.
--	Rooftop terraces (Other sections: former 4.21; current 4.3, 6.4.5)	The definition and regulations proposed for “rooftop terraces” are proposed to be deleted. There was confusion as to the applicability of those regulations in the second draft (v2.0) and upon further review the regulations were essentially duplicating the same regulations for balconies (which include covered balconies that are inset into a building beneath a roof) and uncovered platforms. Additional comment is provided elsewhere in this Table.
4.22	Reduction of requirements	This clause is moved from Part 1 to a more appropriate location with other general regulations.
4.25.3	Temporary sales offices	A new regulation is recommended requiring the temporary sales office to be located within the development where the lots or units are being sold. This is a differentiation from the North Oakville framework where temporary sales offices are permitted for any development in Oakville. Many temporary sales offices could be permitted as a business office in other zones, maintaining a broad permission for the use.
Part 5 – Parking, Loading, and Stacking Lane Provisions		
5.1.1(b)	Applicability	A revision is proposed that ensures the current interpretive practice of the Town is contained in the By-law. Zoning By-law 1984-63 has been routinely interpreted to count all floor area on a lot when calculating the minimum number of parking spaces required if additional floor area is added to a lot or when a change in use occurs. Maintaining this interpretive practice remains good planning to ensure that all lots remain adequately supplied with appropriate parking spaces. It is also necessary in order to ensure compliance is obtained with the updated barrier-free parking space requirements established in the Integrated Accessibility Standards of the

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		<p><i>Accessibility for Ontarians with Disabilities Act.</i></p> <p>Accordingly, it is recommended that Section 5.1.1(b) be revised to clearly state that minimum parking spaces shall be determined for all net floor area on a lot where additional floor area is added or a change in use occurs that has the effect of requiring additional parking spaces.</p>
5.1.3	More than one use on a lot	The Institutional I and Community Use CU Zone provision is recommended to be deleted, in favour of calculating parking space requirements for all uses on a lot.
5.1.4(b)	Parking on another lot in Palermo Village and the Uptown Core	A revision is recommended to restore the current Zoning By-law 1984-63 provision allowing required parking spaces to be provided on another lot within 300.0 metres, provided both lots are in Mixed Use Zones. This allows some flexibility in providing for planned mixed use development in these two Growth Areas. Evidence would be required that an appropriate agreement is in place in order to take advantage of the permission, although this would be determined at the time of making an application (Site Plan or Building Permit).
5.1.5	Rounding provision	The “equal to” was included in error in the second draft (V2.0) and is recommended to be deleted.
5.1.6	Cash-in-lieu of parking	An addition is recommended to permit aisles and driveways as elements available for inclusion in a cash-in-lieu of parking agreement. This permits the Town to acquire funding for the aisles and driveways accessing the future parking spaces. A review of the cash-in-lieu of parking policy and procedure is planned for 2014 as one of many inZone implementation projects.
--	Prohibition on paid parking (Other sections: 3, former 5.1.7, 8.2, 11.2)	<p>A revision to the framework behind “charging for parking” is recommended to incorporate the prohibition as a use of land. The definition now shows as two parts: where the primary use of land is the parking of motor vehicles, or where a charge is levied to occupy any parking space. “Commercial parking area” is recommended to become a use permitted in the Mixed Use Zones and the Institutional I Zone, which recognizes legal existing uses and adds new flexibility into the Zoning By-law to support various transportation-related in areas where growth and redevelopment are planned for and anticipated (chiefly, the Growth Areas, with Midtown Oakville regulations being reviewed separately through the Midtown Oakville studies).</p> <p>Relief from these provisions of the Zoning By-law could be considered through a Zoning By-law Amendment. All of the above continues to be aligned with the August 31, 2013 OMB decision affecting 1235 Trafalgar Road.</p>
5.1.7	Shared driveways	The “registered on title” language is proposed to be deleted to maintain the editorial practice of

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	and access lanes recognition	keeping condition-type language out of the Zoning By-law. Staff would require evidence that an appropriate agreement is in place in order to take advantage of the permission, although this would be determined at the time of making an application (Site Plan or Building Permit).
5.2.1	Blended parking rates	<p>The blended parking rates to explicitly state the building and site layouts where a blended parking rate would apply in the appropriate parking requirement table.</p> <p>The industrial plaza rates are proposed to be broken into two new rates. The first rate is for lots having five or more premises in the Office Employment E1, Business Employment E2, and Industrial E3 Zones. The lot would require 5,000.0 square metres of net floor area, have no more than two storeys and no hotel on site, and service commercial uses (where permitted) together occupy no more than 20% of the total net floor area on the lot. The minimum rate matches the Zoning By-law 1984-63, as amended, requirement of 1.0 space per 50.0 square metres of net floor area for industrial malls.</p> <p>The second rate is for lots having three or more premises in the Business Commercial E4 Zone. There needs to be a minimum of two uses on the lot and have no more than two storeys and no hotel on site. The minimum rate matches the Zoning By-law 1984-63, as amended, requirement of 1.0 space per 40.0 square metres of net floor area for the Arterial Commercial C3A Zone.</p>
5.2.1	Adjusted minimum parking ratios	<p>The following adjustments to the following minimum parking space ratios are recommended:</p> <ul style="list-style-type: none"> • Introducing a reduced rate of 1.0 spaces for apartment dwellings less than 75.0 square metres net floor area, matching the maximum floor area recommendation for accessory dwellings and recognizing smaller dwellings as generally occupied by one person only; • In addition, the minimum 50% requirement for apartment dwelling parking spaces (proposed to be expanded to include stacked townhouse dwellings) in a parking structure, private garage, or carport is proposed to be restored. The current zoning requirement for townhouses remains proposed to be deleted; • The minimum number of parking spaces for sports facilities is additionally edited to require parking spaces for outdoor playing areas: “courts” being intended to apply to smaller surfaces and “fields” to apply to larger surfaces (both based on 1.0 parking space per 2 players, with 8 players on a smaller court and 24 on a larger field); • Increase the contractors establishment ratio to 1 per 100.0 square metres of net floor area, to match the current interpretation of parking requirements for the use;

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		<ul style="list-style-type: none"> • Deleting the required rates for public works yard, emergency service facilities, and post-secondary school with the effect of determining appropriate parking requirements at the Site Plan Approval stage; • Deleting the outside processing, outside storage, and heavy vehicle parking area rates, in favour of applying the rate for the main permitted use should any buildings be provided; • Decreasing the place of worship and golf course accessory floor area parking requirements to 1.0 space per 22.0 square metres of net floor area, matching the community centre parking rate; and, • Introducing a new maximum minimum parking requirement for boarding kennels of 6 spaces. This is similar to commercial self-storage facilities.
5.2.1 5.2.2	Visitors parking requirement	Based upon consultation and further research, it is recommended to restore a minimum requirement for visitors parking spaces for apartment dwellings, dormitories, multiple dwellings (condominium only), stacked townhouse dwellings, and townhouse dwellings (condominium only). The 0.25 spaces per dwelling is inclusive of the minimum number of parking spaces already specified in Table 5.2.1.
5.2.2	Growth Area minimum and maximum parking spaces	<p>Harmonizing the discount for residential parking spaces across the five Growth Areas (Midtown Oakville being the subject of its own review) is recommended to simplify the administration of the By-law. The greatest discount recommended by Cole Engineering was 15% for Downtown Oakville, Kerr Village, and Bronte Village. This discount shall be additionally applied in Palermo Village and the Uptown Core. Instead of being listed as a reduction from Table 5.2.1, it is recommended to instead specify the discounted rate to simplify the administration and interpretation of the final draft (v3.1). Rates are rounded to the nearest 0.25, except for detached and semi-detached dwellings where no discount is recommended.</p> <p>All maximum parking requirements (outside of Special Provisions) are recommended to be deleted from the final draft (v3.1). A more thorough market and supply analysis is instead recommended to ensure that the limitation is appropriate.</p> <p>An additional reduction in the minimum parking space requirement for non-residential uses is recommended in Kerr and Bronte Villages of 1.0 space per 40.0 square metres of net floor area. This rate matches the second-to-lowest blended rate proposed outside of the Growth Areas. It also represents a discount from the rate for office uses, for which Cole has recommended a rate</p>

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		<p>of 1.0 space per 35.0 square metres of net floor area. Applying the 10% discount recommended by Cole, this results in a minimum of 1.0 space per 38.5 square metres of leasable floor area, which is rounded down to 1.0 space per 40.0 square metres of net floor area.</p> <p>A request was made to review and potentially reconsider the second draft (v2.0) recommendation for non-residential parking requirements for Palermo Village and the Uptown Core, with an eye toward providing a simplified rate similar to others in Section 5.2.2.</p> <ul style="list-style-type: none"> • The initial step in this review was to returned to the initial suggestion by the parking consultant, Cole Engineering, who recommended a 10% discount from the main minimum parking space requirements for lands in the Uptown Core; • The lowest parking rate associated with the Uptown Core appears to be the 1.0 space per 21 square metres of leasable floor area requirement obtained by Silgold Developments Inc. and Silgold II in 2012 (File No. CAV A/027/2012, February 21, 2012), which applies to all commercial uses. Cole’s recommended 10% reduction from the current rate results in a minimum rate of 1.0 space per 23.1 square metres of leasable floor area, which is rounded down to 1.0 space per 24.0 square metres of net floor area (new By-law term). This would be the first storey minimum parking requirement, where the broadest range of non-residential uses are anticipated to be located; • Upper storey uses generally tend to be office uses, for which Cole has recommended a rate of 1.0 space per 35.0 square metres of net floor area. Applying the 10% discount recommended by Cole, this results in a minimum of 1.0 space per 38.5 square metres of leasable floor area, which is rounded down to 1.0 space per 40.0 square metres of net floor area; and, • Where medical offices occupy any first storey floor area or greater than 60% of the net floor area of the building, the continued recommendation is that a minimum of 1.0 space per 18.0 square metres net floor area apply for all net floor area occupied by medical offices. <p>Additional Special Provisions are recommended to recognize other modified parking requirements in both Growth Areas.</p>
5.3.2	Growth Area minimum and	The Growth Area minimum bicycle parking requirements are proposed to be deleted, instead relying upon the proposed maximum minimum requirement of 30 spaces on a lot to limit the

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	maximum bicycle parking spaces	number of bicycle parking spaces required. Monitoring of the provision and utilization of bicycle parking spaces in future developments is encouraged to evaluate the effectiveness of the regulation.
5.3.3	Bicycle parking space dimensions	Upon further consideration, there are multiple methods in which bicycle parking can be provided on a lot. With too many applicable and appropriate scenarios available, it is recommended to not include a zoning recommendation and instead review the provision of bicycle parking at the Site Plan Approval stage.
5.4	Barrier-free parking spaces	<p>Upon further review, the Integrated Accessibility Standards under the <i>Accessibility for Ontarians with Disabilities Act</i> only require barrier-free parking spaces for the visitors component of parking spaces associated with residential uses. A revision to Section 5.4.1 is proposed to match this directive.</p> <p>The lowest tier of the barrier-free requirements is proposed to be increased to apply to lots where a minimum of three parking spaces are required. This provides flexibility on the smallest lots or where few to no parking spaces are required.</p>
5.5.1(c)	Drive-through facilities	Revisions are proposed to the locations regulation to instead prohibit drive-through facilities in between any main wall oriented toward a front or flankage lot line only along identified streets in the five Growth Areas: Lakeshore Road, Kerr Street, Randall Street, and Old Bronte Road/Khalsa Gate. This prohibition matches similar Growth Area parking restrictions.
5.8	Driveway regulations applicability	Revisions are recommended to clarify the intent of the regulations to only apply to detached dwelling, semi-detached dwelling, duplex dwelling, linked dwelling, townhouse dwelling, and back-to-back townhouse dwelling <i>in any Residential or Mixed Use Zone</i> . Modified regulations throughout Section 5.8 further clarify which regulations are limited to specific dwelling types only.
5.8.1	Driveway general provisions	A new subsection is recommended limiting the cumulative width of parking spaces on lots with the above dwelling units to the maximum width of the driveway. This technical clause is required to close a technical loophole that would otherwise permit a wider stretch of hard surfacing than would otherwise be permitted.
5.8.2	Driveway width	Based on a review of previous driveway approvals, the maximum 6.5 metre width of a driveway measurement at the lot line crossed by the driveway regulation is recommended to be deleted. Apron widths (between the lot line and paved limit of the road) are regulated through the Town's Use of Roads By-law 2009-072 or approvals at the Plan of Subdivision stage. Setback and permitted location regulations for a driveway continue to apply for portions of a driveway off the

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		<p>road right-of-way.</p> <p>The impervious surface setback within which a hard surface would be counted as driveway is recommended to be decreased to 0.6 metres (2 feet) to provide additional flexibility to landowners.</p>
5.8.4	Driveway setbacks	<p>Subsection (b) for driveways crossing the front lot line on corner lots is proposed to be revised to illustrate the formula for determining setbacks only, rather than a set number. The formula would limit driveways to that portion of the lot equal to the minimum interior side yard required for the lot, the maximum width of the driveway permitted on the lot, plus 1.0 metre to reflect the required driveway setback from the interior side lot line and some additional flexibility, all measured from the interior side lot line. Using a formula rather than a set number better reflects the diverse range of lot sizes and orientations within set zones. A new subsection (c) is proposed exempting this requirement where a driveway can be located more than 15.0 metres from the intersection of the front and flankage lot lines.</p> <p>Subsection (d) for driveways crossing the flankage lot line on corner lots is proposed to be revised to require a driveway to be set back 15.0 metres from the intersection of the front and flankage lot lines. This mirrors the current Zoning By-law 1984-63, as amended, requirement. The majority of affected lots have lot depths of 30.0 metres (100 feet) or greater, and can accommodate the widest driveway and setback without issue.</p> <p>Overall, the intent of these two setbacks is to draw driveways on corner lots as far away from the intersection of the two roads as much as possible. The above revisions harmonize this engineering concern as best as possible with the 2008 zoning permissions for 6.0 metre-wide (20 feet) driveways on all residential lots.</p>
5.9.2	Recreational vehicles and trailers	<p>Revisions are recommended, based on further review of other municipalities' zoning by-laws, to introduce a maximum length of 7.0 metres for recreational vehicles and trailers to be able to be parked year-round on a lot. Recreational vehicles and trailers longer than 7.0 metres or taller than 2.3 metres remain proposed to be prohibited in a front yard, matching current Zoning By-laws 1984-63, as amended, regulations.</p> <p>The "loading and unloading" clause is recommended to be deleted due to anticipated difficulty in enforcing the regulation. Instead, recreational vehicles and trailers meeting this size are</p>

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		<p>recommended to be permitted to be parked on a driveway from May 1 to October 31. This change in the current zoning framework is appropriate and opens up additional opportunities for landscaping on lots. Yards occupied by vehicles cannot support plant growth beyond ground cover. Given the Town’s increased canopy coverage targets and other environmental considerations, the best location for smaller recreational vehicles and trailers is on otherwise unutilized space on a driveway.</p> <p>The proposed maximum number of recreational vehicles and trailers permitted on a lot in a Residential Zone is recommended to be lowered to two. An additional clause is recommended to permit recreational vehicles and trailers of any size to be parked in a private garage or accessory building year-round.</p>
--	Growth Area driveway prohibitions	<p>The driveway prohibitions for Lakeshore Road, Rebecca Street, Randall Street, and Kerr Street are recommended to be deleted. With minimum parking spaces required for all lots along these streets, driveway access is necessary in order to provide motor vehicle access to those spaces. The prohibition is supportable where no minimum parking spaces are required anywhere on a lot. Driveway access would be reviewed at the Site Plan Approval stage.</p>
Part 6 – Residential Zones		
--	Deletion of the Mixed Dwellings R06 Zone	<p>The current Mixed Dwellings R06 Zone is recommended to be deleted. Applied in fewer than 10 locations across Oakville, the lot size and building envelope regulations are similar to the more broadly applied current Mixed Dwellings R12 Zone. The new proposed zone for these lands is now Residential Low 8. The massing control utilized in the current R06 Zone – maximum floor area for the dwelling – is the only zone where a strict maximum is employed. Deleting the zone brings the zone framework for these lots into overall harmony with all other lots in Oakville, and the -0 Suffix Zone regulations would continue to apply on the current R06-zoned lots.</p> <p>To give full effect to the merger, a maximum floor area is proposed to be maintained for lots meeting the R6/R06 Zone criteria – 408.0 square metres for a detached dwelling, 612.0 square metres for two semi-detached dwelling units. The new residential floor area calculation is proposed to be used on these lots, adding 20.0 square metres of floor area to account for the converted formula. A residential floor area ratio figure of 65% (increased from 60%) is recommended in the proposed Residential Low RL8 Zone.</p> <p>All remaining Residential Low RL Zones are proposed to be renumbered accordingly.</p>

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6.3	Regulations: Parent Zone heights	<p>Upon further review and consultation, the proposed height maximums proposed in the second draft (v2.0) are taller than the majority of dwelling units currently existing south of Dundas Street. The roof pitch used in previous modelling is based upon new construction and did not accurately consider existing building forms, which would better implement the policy direction of Section 11.1.9 of the Livable Oakville Plan. It is recommended that height maximums outside of the -0 Suffix Zone generally be lowered by 12.5 metres in all new zones corresponding to a midpoint “building height” measurement in Zoning By-law 1984-63, as amended, where peaked roofs are the typical roof form.</p> <p>Conversion of the maximum lot coverage to the new residential floor area ratio is recommended for the proposed Residential Low RL6, RL8, and RL9 Zones. The increase in the ratios (from 60% to 65% in the proposed RL8 and RL9 Zones, and the lesser of 315.0 square metres residential floor area or 75% (up from 315.0 square metres or 70%) in the proposed RL6 Zone is to accommodate the additional floor area included in the calculation as detailed in the Part 3 revisions above.</p> <p>In the proposed Residential Uptown Core RUC Zone, revisions are recommended to the townhouse dwelling front and interior side yard requirements to match the current zone minimums in Zoning By-law 1984-63, as amended.</p> <p>The intent of the Residential High RH Zone is to recognize existing buildings only. All designated sites except for one are either built upon or have applications in process to build. It is recommended that the maximum front and flankage yard requirements be deleted and the maximum lot coverage of 35% be included in the final draft (v3.1), carrying forward existing Zoning By-law 1984-63, as amended, regulations.</p>
6.4.1	-0 Suffix: Residential floor area ratio	<p>Additional analysis and comment on the rationale for an increased lot coverage/residential floor area ratio framework is provided in the main report.</p> <p>In terms of the mechanics of the recommendation, the proposed calculation of “residential floor area” and resultant “residential floor area ratio” is modelled on the approach used in Mississauga, where all floor area within the building is measured without any exclusions. In Zoning By-law 1984-63, a number of portions of a dwelling are excluded from the floor area calculation: finished furred partitions of walls, stair wells, elevators, attics, and basements. The proposed definition:</p>

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		<ul style="list-style-type: none"> • Begins measuring at the exterior part of exterior walls, meaning all area within a building is counted (similar to measurements taken in most non-residential contexts); • Includes any attic where headroom exceeds 1.8 metres, whereas currently all attics are excluded; • Single-counts foyers and cathedral ceilings, whereas in the current Detached Dwellings R01 Zone these areas are double-counted; • Stair wells and elevators are counted on each floor, whereas currently these areas are exempt; and, • Private garages with tall interior ceilings – being 6.0 metres in height for the structure – are counted once as residential floor area and once as private garage floor area, whereas today that attic space is not counted. <p>Providing no exclusions closes known loopholes in the current regulatory framework. Continued monitoring of building permit applications is recommended to ensure the regulation is working as intended.</p> <p>To compensate for the additional areas included in the calculation of residential floor area, the recommend ratio for the new “maximum residential floor area ratio” is adjusted upward from the current “floor area/lot ratio” figures listed in Zoning By-law 1984-63, as amended. Individual tiers are also proposed to be reorganized to fit the current minimum lot area figures, meaning each tier spans 92.9 square metres (1000 square feet). Based on modelling of potential building sizes available under Zoning By-law 1984-63, as amended, the increase in increases range between 10.3% and 16.7% over existing permissions – or, between 3 and 5 percentage points in the final draft (v3.1) By-law – to accommodate previously excluded exterior walls, stairs, and elevators. The two-regulation framework better enables as-of-right design flexibility within the zoning by-law.</p> <p>Relief from this provision could be considered through a development application (i.e. Minor Variance or Zoning By-law Amendment, depending on the proposal).</p>
6.4.2	-0 Suffix: Lot coverage (Other section: 6.5)	Additional analysis and comment on the rationale for an increased lot coverage/residential floor area ratio framework is provided in the main report.

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		<p>In terms of the mechanics of the recommendation, lot coverage for shorter dwellings – now proposed to be set at less than or equal to 7.0 metres, based on further review – is proposed to remain the same as in the second draft (v2.0) and Zoning By-law 1984-63, as amended: 30% in the Residential Low RL1 and RL2 Zones; 35% in the Residential Low RL3-0, RL4-0, RL5-0, and RL10-0 Zones, and not applicable in the Residential Low RL8-0 Zone.</p> <p>For taller buildings – greater than 7.0 metres in height – the recommendation is based on the 85th percentile (with rounding) of all lot coverage estimates existing today in the applicable zones: 25% in the Residential Low RL1 and RL2 Zones; 35% in the Residential Low RL3-0, RL4-0, RL5-0, and RL10-0 Zones, and remaining not applicable in the Residential Low RL8-0 Zone.</p> <p>Using the 85th percentile level best recognizes the “existing residential character” across the broad area covered by today’s R0 Zones. The regulation as proposed, and therefore the new infill and replacement dwellings and additions to existing dwellings constructed within this framework, will conform to and implement Section 11.1.9 of the Livable Oakville Plan.</p> <p>In the -0 Suffix Zone, the interpretation is proposed to remain the same as in Zoning By-law 1984-63: that lot coverage includes all accessory buildings and structures. A new subsection (b) in this section is recommended to recognize this interpretation. Covered porches attached to the main dwelling are proposed to be interpreted under the lot coverage for the main dwelling.</p>
6.4.3	Minimum and maximum front yards	<p>While the section appears rewritten, the recommended provision maintains the same intent – increasing the minimum yard required in all lots in the -0 Suffix Zone to that existing on the effective date of the By-law. The text as revised states “as legally existing” to be the minimum, rather than establishing an averaging formula that would likely cause issues in the future should a new dwelling be erected that throws an older, legal existing dwelling out of conformity with the regulation. Section 6.6 (Reduced minimum front yard) remains in the By-law to provide some flexibility where a staggered series of setbacks already exists or is created in the future.</p> <p>A reduction of 1.0 metre (3 feet) is requested to provide a small amount of flexibility to surveyors and construction crews building additions or replacement houses.</p> <p>An additional provision is necessary, based on the above, to recognize vacant or new lots. The</p>

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		<p>minimum front yard in these scenarios is proposed to be the minimum for the parent zone.</p> <p>The maximum front yard is proposed to be increased to 5.5 metres greater than the minimum front yard for the applicable lot. The distance matches the minimum setback for a garage from the front lot line and accommodates one parking spot behind the main front wall.</p> <p>Relief from these provisions could be considered through a development application (i.e. Minor Variance or Zoning By-law Amendment, depending on the proposal).</p>
6.4.4	Main wall proportionality	<p>The minimum length of main wall required to be within the area defined by the minimum and maximum front yards is proposed to be decreased to 50%. With an additional recommended revision to establish “all main walls” as subject to the regulation, 50% represents an appropriate requirement to ensure the building is located in keeping with the existing streetscape, implementing the Design Guidelines for Stable Residential Neighbourhoods. A new flankage yard proportion is introduced having the same 50% requirement.</p> <p>A new provision is proposed for all main wall proportionality regulations limiting the applicability of the clause to new buildings only. Additions to existing buildings would not be subject to the requirement.</p>
6.4.4	Balcony and Deck Prohibition	<p>It is recommended that the height above which balconies and uncovered platforms be increased to be equal to the floor level of the first storey. The 3.0 metre (10 foot) height above grade could result in occupants having to step up or down onto the platform, which may be create safety issues. The intent of the regulation is to prohibit platforms above the first storey in the -0 Suffix Zone, and the revised wording better matches this intent.</p> <p>The term “patio” is recommended to be deleted as it is a term not intended to be used in the residential zones. Additional language is recommended to clarify that the first floor level to be used is the portion of the floor area adjacent to the proposed balcony or uncovered platform.</p>
--	Height of the first floor level	<p>Based on consultation and further review, this regulation is no longer recommended for inclusion in the By-law. Porch heights and the distribution of floor area (and, by association, windows on the first storey) are adequately addressed through the other provisions of this By-law.</p>
6.5.2	New accessory buildings and	<p>The maximum lot coverage is recommended to remain equal the greater of 5% of the lot area of 42.0 square metres (450 square feet) of building area. Covered porches attached to the</p>

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	structures regulation	<p>dwelling would be interpreted as part of the lot coverage for the main dwelling. This maximum remains one of the more generous allowances for accessory buildings and structures in urban residential zones across the Greater Toronto Area.</p> <p>This is proposed to be additional to the dwelling unit. Most newer dwellings are typically constructed to the maximum lot coverage in their applicable zones – this is typical of all Ontario municipalities, not just Oakville. Treating this coverage as additional allows flexibility to a landowner to erect accessory buildings or structures later (i.e. garden shed, gazebo). Note that in the -0 Suffix Zone, staff recommend maintaining the current zoning interpretation that all buildings and structures are part of the maximum as detailed in the Section 6.4.2 row above.</p> <p>Should a detached private garage be desired on a smaller lot, relief could be considered through a minor variance.</p> <p>A further clarification to permissions for accessory buildings and structures in that portion of the rear yard closest to the flankage yard is recommended. To obtain the reduced setback in that portion of the rear yard, the recommendation is to limit the height of accessory buildings and structures to the flankage yard to 2.5 metres (just over 8 feet) in height, lowering the profile of these buildings in the public realm where there remains sensitivity from design and traffic perspectives. The proposed height accommodates a wide variety of pre-fabricated sheds available at most retail stores.</p>
Part 7 – Midtown Oakville Zones		
7.2	Permitted uses (Other sections: 9.2, 10.2)	<p>A small number of additional uses are recommended to be added as permitted uses in the Midtown Oakville Zones to match proposed revisions in the final draft (v3.1) in other zones.</p> <p>A net floor area maximum and requirement for uses to be located in a building containing another permitted use not subject to this limitation for select uses in the Midtown Transitional Employment MTE Zone (retail store, financial institution, food production, restaurant, service commercial establishment, sports facility, day care) are additionally permitted to correspond to revisions proposed in the Office Employment E1 Zone.</p> <p>As corresponding policy amendments to the Livable Oakville Plan are anticipated to reflect</p>

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		<p>changes recommended in that work, a recommendation to apply full, mixed use zoning in Midtown Oakville is not possible at this time. The recommendation continues to be the application of two transition zones – Midtown Transitional Commercial MTC and Midtown Commercial Employment MTE – that require new buildings and structures to be approved through a planning application, allowing Council to review a proposal and establish conformity with the Livable Oakville Plan – in particular, the acquisition of future roads in Midtown Oakville.</p>
Part 8 – Mixed Use Zones		
8.2	Permitted uses	<p>Footnote 2 is proposed to be revised to clarify intent that uses are permitted on a lot where the use legally existed on the effective date of the By-law. This allows for buildings to be expanded or replaced on a lot, but only where the use existed. New uses cannot be established without first amending the Zoning By-law.</p> <p>Footnotes 4 and 5, relating to mixing of uses within a building, are recommended to be deleted. Building Code restrictions relating to residential and commercial construction standards typically deter mixing of uses on floors in buildings. Nearly all new multi-storey buildings in mixed use areas do not mix sectors of uses on individual floors (i.e. different types of office uses and service commercial uses locate on the same floors, but not residential or hotel uses).</p> <p>A new footnote 6 is recommended limiting office uses on larger lots (greater than 20.0 metres in lot frontage) to a cumulative maximum width of 50%. This implements the permissions and general policies of the Livable Oakville Plan, which limit office uses on the first storey of buildings.</p>
8.2 (7)	Permitted uses: premises size	<p>The maximum premises size for uses on a first storey is recommended to be increased to a maximum of 1,400 square metres (just over 15,000 square feet) in the final draft (v3.1). This provides additional flexibility to lease to a broader range of business tenants on first storeys, as discussed during consultation and on further research.</p> <p>The 500.0 square metre maximum was agreed upon through settlements on other properties in the Uptown Core, replacing the lack of a minimum contained in the original 1995 Commercial Residential Mixed Use UCC3R Zone applying in the Uptown Core and the Central Business District – Residential C3R Zone that served as the inspiration for the modified Uptown Core zoning. It has since been applied to other properties through subsequent zoning by-law amendments. Where these provisions have been applied through a zoning by-law amendment,</p>

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		<p>the recommendation is to maintain the maximum and the intent of the original rezoning.</p> <p>Some form of regulation is both necessary and good planning to ensure that the design objectives of the Livable Oakville Plan and eventual Livable by Design guidelines are achieved. A regulation needs to be equitably applied to provide regulatory weight behind achieving these objectives. Additional design-based regulations may be introduced for consideration through the proposed Livable by Design Official Plan Amendment and a potential implementing zoning by-law amendment.</p>
8.3	Regulations for detached, semi-detached, and townhouse dwellings	<p>The increased minimum front yard for first storey residential uses is recommended to be deleted, allowing for zero lot line development. This will provide additional design flexibility for these uses, with appropriate building locations evaluated at the Site Plan Approval stage.</p> <p>At present, low density residential uses permitted in the current Central Business District – Residential C3R Zone have few additional regulations beyond the base standards in this zone. Section 13.2.7 of the Livable Oakville Plan requires development of residential uses to be evaluated using the criteria of Section 11.1.9 of the Livable Oakville Plan. New zone standards are proposed for detached, semi-detached, and townhouse dwellings – all with cross-references to regulations in Part 6 for accessory buildings and structures, and separation of dwelling units for yard compliance – based upon a review of recent building permit applications, existing conditions where such uses exist, and character-based regulations proposed in the -0 Suffix Zone. Any lots or buildings not complying with these regulations would become legal non-conforming.</p>
8.8	Main wall proportions	A new provision is proposed for all main wall proportionality regulations limiting the applicability of the clause to new buildings only. Additions to existing buildings would not be subject to the requirement.
8.9	Use of a basement permitted	The regulation was unclear with the second draft (v2.0) version. The rewritten section is clearer and better addresses the zoning issue.
Part 9 – Commercial Zones		
9.3	Regulations	In the Community Commercial C2 and Core Commercial C3 Zones, a new regulation is recommended to provide for some minimum retail store areas on all lot. Floor area for uses other than retail stores is recommended to be capped at 67%, to prevent a single use from occupying the entirety of a lot. This regulation implements Sections 13.3.1 and 13.4.1 of the

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		Livable Oakville Plan to ensure a minimum amount of retail space remains available on a lot. The maximum 50% net floor area cap for a single premises in the Community Commercial C2 Zone is correspondingly recommended to be deleted.
9.3	Regulations	Two minor adjustments are recommended to the zone regulations in the proposed Community Commercial C2 and Core Commercial C3 Zones. First, the minimum rear yard is proposed to be changed to match the minimum interior side yard requirement of 0.0 metres, but increased to 7.5 metres adjacent to any lot in a Residential Zone, Institutional I Zone, or Community Use CU Zone. This carries forward the ability to develop up to or across lot lines internally within a shopping centre. Second, the minimum lot area in the Community Commercial C2 Zone is proposed to be reduced to 2.0 hectares. This better clarifies the hierarchy between the three categories.
9.4	Main wall proportions	A new provision is proposed for all main wall proportionality regulations limiting the applicability of the clause to new buildings only. Additions to existing buildings would not be subject to the requirement.
Part 10 – Employment Zones		
10.2	Permitted use revisions: Office Employment E1	<p>Based on consultation and further review, the following additional uses are recommended to be permitted in the Office Employment E1 Zone:</p> <ul style="list-style-type: none"> • Manufacturing (renamed from “industrial use”), repair shop, warehousing, and food production, but only on lots where the use legally exists on the effective date of this By-law. The interpretation of this language would allow for expansions of current uses and the establishment of new tenancies on those lots. • Accessory retail store and showroom, to a maximum net floor area of the lesser of 15% or 200 square metres of net floor area. This matches the current proposed permission for the Business Employment E2 and Industrial E3 Zones and gives effect to the additional uses proposed above. The main “retail store” permission of up to 20% of net floor area of the building would remain additionally permitted. • Contractors establishment (as a light industrial use), private school, and food bank (as community uses) as-of-right without additional regulations. • Sports facility, limited to a maximum net floor area of 1,000.0 square metres net floor area on any lot within 100.0 metres of a residential zone. This matches the current Zoning By-law 1984-63, as amended, permission.

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10.2	Permitted use revisions: Business Employment E2	<p>Based on consultation and further review, the following additional uses are recommended to be permitted in the Business Employment E2 Zone:</p> <ul style="list-style-type: none"> • Outside storage, limited to 25% area coverage on a lot. The lower lot coverage implements Section 14.4.4 of the Livable Oakville Plan. • New restaurants, financial institutions and private schools, subject to a maximum net floor area of 20% of the total net floor area on the lot and that prior construction has occurred to provide an equal amount of floor space on the lot for a permitted use on the lot not subject to this limitation (i.e. business office, manufacturing). The 20% maximum is derived from current zoning restrictions relating to discounted minimum parking requirements. • Notwithstanding the above, legal existing uses in stand-alone buildings with no maximum net floor area. • Drive-through facility, provided the use is not adjacent to a residential zone, with the limitations described above being recognized through a new footnote applied to the use. • Taxi dispatch (as an office) and food bank (as a community use) as-of-right without additional regulations. • Sports facility, limited to a maximum net floor area of 1,000.0 square metres net floor area on any lot within 100.0 metres of a residential zone. This matches the current Zoning By-law 1984-63, as amended, permission. <p>Commercial school is proposed to be deleted as a permitted use clarifying that only training facilities (linked to trades) are permitted in the zone. Dry cleaning/laundry and service commercial establishment are recommended to be deleted, as the uses are currently and proposed to remain prohibited in the Livable Oakville Plan.</p> <p>Day cares are additional proposed to be deleted as the introduction of a new sensitive land use on employment sites triggers issues with respect to compliance with environmental legislation. Legal existing uses are proposed to be permitted through new Special Provisions.</p>
10.2	Permitted use revisions: Industrial E3	Commercial school is proposed to be deleted, clarifying that only training facilities (linked to trades) are permitted in the zone.

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		<p>Commercial self-storage facility is proposed to be added as a permitted use, maintaining the current Zoning By-law 1984-63 permission as a type of warehousing use.</p> <p>Sports facilities are proposed to be added as a permitted use, but only on lots where the use legally existed (similar to the Office Employment E1 Zone light industrial permissions). New uses could be considered through a zoning by-law amendment.</p>
10.2	Permitted use revisions: Business Commercial E4	<p>Based on consultation and further review, the following additional uses are recommended to be permitted in the Business Commercial E4 Zone:</p> <ul style="list-style-type: none"> • Places of worship, limited to a maximum lot area of 2.5 hectares (matching Section 7.1.2(g) of the Livable Oakville Plan) and maximum net floor area of 50% of the net floor area on the lot. This provides an as-of-right employment zone location for new places of worship. • Contractors establishment (as a service commercial use), taxi dispatch (as an office) and food bank (as a community use) as-of-right without additional regulations. <p>Repair shop is recommended to be deleted. The revised definition of service commercial establishment incorporates small appliance repair, which better matches the intent of the designation as providing uses supportive of the adjacent employment function.</p> <p>The former footnote 14, relating to the orientation of loading or service bay doors, is proposed to be deleted. The Urban Design Manual (Livable by Design) shall instead detail the orientation of buildings and doors on a lot.</p>
10.3	Regulations	<p>The minimum front and flankage yards are recommended to be reduced to 3.0 metres, matching the same standards for the commercial zones. A corresponding reduction in the minimum width of landscaping required by Section 4.11 is also proposed. The minimum yard remains sufficiently wide to accommodate tree planting on a lot.</p> <p>Maximum front and flankage yard requirements are proposed to only apply in the Office Employment E1 Zone, with the maximum reduced by 2.0 metres to correspond with the reduced minimum yards. Removing the requirement in the other three zones provides additional flexibility to employment builders in siting buildings on a lot to accommodate landowner needs.</p>

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		<p>It also expands opportunities to push buildings back further on a lot, requiring operational activities to occur in the front of buildings.</p> <p>Based on consultation and further review, the maximum height in the Business Employment E2 Zone is recommended to be deleted to accommodate landowner needs on lands further away from sensitive land uses internal to the Town’s employment areas. The 5.0 metre maximum height within 23.0 metres (75 feet) of a lot in a Residential Low RL, Institutional I, or Community Use CU Zone is recommended to continue to apply.</p>
10.5	Main wall proportions	A new provision is proposed for all main wall proportionality regulations limiting the applicability of the clause to new buildings only. Additions to existing buildings would not be subject to the requirement.
10.5(b)	Outside Processing and Outside Storage	<p>The lot coverage for outside storage in the Business Employment E2 Zone is proposed to be increased to 25% area coverage of the lot, providing additional flexibility on a lot.</p> <p>An additional clause is recommended limiting outdoor storage where materials stored exceed 1.8 metres in height to being in a rear yard or in between two buildings on a lot. This matches the current prohibition in Zoning By-law 1984-63, as amended, but also provides for this height where buildings function as screening.</p>
Part 11 – Institutional and Community Use Zones		
11.2	Permitted uses	<p>Food bank is recommended to be restored as a separate use term and permitted in both zones.</p> <p>The permission for a dwelling for a faith group leader accessory to a place of worship is recommended to be displayed as a footnote to Table 11.2. This permission and the five lodging unit permission implement the recommendations of the Place of Worship Study.</p> <p>Business office is proposed to be added as a permitted use to recognize office uses such as Town Hall.</p> <p>Section 11.4 is proposed to be deleted and instead be replaced with a footnote to Table 11.2. The road location requirements contained in the second draft (v2.0) are recommended to not be required for day cares and private schools provided accessory to a place of worship, which are currently and proposed to not be subject to the same road location requirement.</p>

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11.3	Zone regulations	Maximum height for existing buildings in the Institutional I and Community Use CU Zones is recommended to be limited to that existing on the effective date of this By-law. This matches the current recommendation for the Residential High RH Zone, where additional height is not recommended for existing buildings. New buildings would continue to have no maximum height, with appropriate heights evaluated and determined through the Site Plan Approval process.
Part 12 – Open Space Zones		
12.2	Permitted Uses	Commercial schools and service commercial establishments are recommended to be additionally permitted in the Private Open Space O2 Zone only accessory to another permitted use. These permissions are linked to Glen Abbey Golf Course in Section 27.3.8 of the Livable Oakville Plan.
12.3	Regulations	The maximum height in the Cemetery CEM Zone is proposed to be reduced to 14.0 metres to match the maximum heights in the other two Open Space Zones
Part 13 – Environmental Zones		
13.2	Permitted Uses	Community centres are recommended to be deleted as permitted uses in the Greenbelt GB and Parkway Belt Complementary Use PB2. The size of facility anticipated is not in character or in keeping with the policies of the Greenbelt Plan and Parkway Belt West Plan and should therefore not be permitted.
13.4	Minimum Distance Separation Formulae	MDS I is recommended to be deleted from the final draft (v3.1). The regulation, intended to buffer new non-agricultural uses from agricultural uses, has not historically been applied in Oakville. Upon further review and given the increasing use of lands north of Highway 407 for non-agricultural uses, introducing this regulation is not recommended.
Part 14 – Other Zones		
14.2	Permitted Uses	A minor revision is recommended to clarify the Town’s current interpretive practice that only legal existing buildings are permitted on lots in the Existing Development ED Zone. Voluntary teardowns and rebuilds of buildings are not permitted. A further addition is recommended to permit new accessory buildings and structures on lots in the Existing Development ED Zone.
Part 15 – Special Provisions		
New Special Provisions		A number of other technical revisions to the Special Provisions are recommended to ensure consistency with current approvals and text elsewhere in the final draft (v3.1), updating Special Provisions to recognize existing zoning approvals, as well as recent additions of new Special Provisions into Zoning By-law 1984-63, as amended. Revisions repeated across multiple

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		<p>Special Provisions include:</p> <ul style="list-style-type: none"> • Deleting lot size regulations in all but one circumstance, to rely upon the parent zone requirements and the relief provided in the proposed Section 4.12.2 (legal existing lots) to issue building permits; • Restoring modified minimum parking space ratios for a number of sites where the new parking regulations would likely require an increased number of parking spaces; • Adding additional permitted uses based upon further audit of Livable Oakville Plan policies; • Adjustment of various “floor area/lot ratio” regulations to fit into the proposed residential floor area ratio calculation, as well as a number of “floor area” regulations to fit the proposed residential floor area definition. Some “floor area” regulations remain in other Special Provisions and may be reviewed at a future date; • Removing service commercial use floor area maximums from lands proposed to be zoned Business Employment E4, as only retail uses are limited in floor area in the Livable Oakville Plan; • Recognition of a number of recently approved Minor Variances and Site Plans where the use permitted is not proposed to be permitted as-of-right in the final draft (v3.1) that would not otherwise be covered by the proposed Transition Clauses; and, • Recognition of recent approved Zoning By-law Amendments, as required. <p>Additional Special Provisions and further revisions to existing draft Special Provisions may be required based upon further review of additional correspondence and decisions made (if applicable) at the February 10, 2014 Planning and Development Council meeting.</p>
4	Bronte GO Station offices	The scope of the proposed Special Provision was applied more broadly than intended in the second draft (v2.0). The limits of the Special Provision should be 500.0 metres – representing a typical transit station walking distance – from the main station building.
11 and 12	HCD SPs ***Outstanding Council item	The content of the recommended Special Provision is detailed in Appendix E of this report.
259	Burloak / QEW	It is recommended that the employment lands floor area maximum be deleted. The primary issue related to the maximum – traffic flow and access to the QEW – has been resolved with the opening of the second interchange ramp.

Section #	Issue/Regulation	Change Proposed and Intent
Part 16 – Holding Provisions		
[H1]	General Growth Area Hold	<p>The Holding Provision is recommended to be revised to additionally apply in Palermo Village where stormwater management issues remain to be resolved on lots where rezoning is recommended. The introductory paragraph of Section 16.3.1.3 is additionally recommended to be revised to clarify that each of the six criteria of this Hold only apply “if and as applicable” to the particular lot in question. The urban design study requirement is recommended to be deleted as the Livable by Design process will provide sufficient guidance for redevelopment until the detailed design guidelines planned for each Growth Area are complete.</p>
[H4]	New Upper Middle Road East Hold	<p>Based on further review, a new Holding Provision is recommended to apply to all lands on the south side of Upper Middle Road East between Ford Drive and Highway 403. During the inZone process, three technical development issues have arisen with respect to future planned development along this portion of Upper Middle Road:</p> <ul style="list-style-type: none"> • The coordination of water and wastewater services among the properties; • The coordination of stormwater management among the properties; and, • The coordination of transportation and site access issues among the properties. <p>A coordinated approach to addressing these issues will ensure that the lands are developed in a manner which ensures safe and efficient access, secures for the coordination of infrastructure and meets the requirements of the Region of Halton and Town of Oakville and Ministry of Transportation. To properly address these issues, a Holding Provision is required.</p> <p>Property owners were mailed an individual letter explaining the proposal and a copy of the courtesy notice for the February 25, 2014 meeting.</p>
[H5]	2330-2435 Ninth Line	<p>A minor revision is recommended to recognize a recent minor variance obtained that corrects a technical issue related to the parking rate for medical offices while the Hold is in place.</p>
[H7]	1099 Eighth Line	<p>Based on further review, a revised Holding provision is recommended. Changes are appropriate given a reconsideration of the Town’s issues with future development on the lot – chiefly, traffic impacts – and the changing terminology proposed by the final draft (v3.1). The additional retail floor area could be permitted upon removal of the Hold, which is proposed to be tied to the construction of the Iroquois Shore Road extension, appropriate arrangements having been made to front-end the costs for that construction, or the completion of a traffic impact study and</p>

Section #	Issue/Regulation	Change Proposed and Intent
		functional servicing study demonstrating that adequate servicing infrastructure and road capacity are available.
Other revisions to Holds		A number of other technical revisions to the Holding Provisions are recommended to ensure consistency with current approvals and text elsewhere in the final draft (v3.1), as well as recent removals of Holding Provisions from Zoning By-law 1984-63, as amended.
Part 17 – Interim Control By-laws Part 18 – Temporary Use By-laws		No additions proposed.
Part 19 – Maps		
General revisions		<p>Updated mapping has been prepared based on continued internal review and auditing, public comment on boundary locations, recent development approvals, corrections of identified mapping errors, and text revisions elsewhere in the By-law. Revisions include:</p> <ul style="list-style-type: none"> • Revising boundaries on selected properties bordering environmental lands to more accurately map the feature (i.e. Maps 1 and 4) or future limits of the feature (i.e. Map 10); • Placing a number of properties in a zone appropriate for the legal existing use of land, with corresponding amendments to the Livable Oakville Plan additional proposed as required (i.e. Maps 2, 8, and 24; existing drive-through permissions on Maps 2a and 7a); • Restoring employment zoning to vacant motor vehicle service station sites on employment lands where the use is permitted (i.e. Map 4); • Placing a number of commercial sites where motor vehicle service stations exist into a single zone, removing split-zoning circumstances from the property (i.e. Maps 14 and 22) • Placing all community centre sites into the Community Use CU Zone (i.e. Maps 13 and 20); and, • Applying appropriate urban zones on sites shown as Existing Development ED in the second draft (v2.0) where a use conforming to the Livable Oakville Plan has been legally established (i.e. Map 10).