



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2019-125

A by-law to amend the Town of Oakville Zoning By-law 2014-014, as amended, to permit the use of lands described as Block 15 and Part of Block 4, Plan 20M-1032 (Silwell Developments Limited, File No.: Z1414.11)

COUNCIL ENACTS AS FOLLOWS:

1. Map 19(22a) of By-law 2014-014, as amended, is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 15, Special Provisions, of By-law 2014-014, as amended, is further amended by deleting Section 15.38 and replacing it as follows:

38	Hays Boulevard and Oak Walk Drive (Part of Lots 14 and 15, Concession 1 S.D.S.)	Parent Zone: MU4
Map 19(22a)		(1995-103) (1996-137) (201-1252) PL140317 (2019-125)
15.38.1 Additional Permitted Use		
The following additional <i>uses</i> are permitted:		
a)	<i>Townhouse dwellings</i> sharing a common wall with an <i>apartment dwelling</i> or <i>mixed use building</i>	
b)	<i>Townhouse dwellings</i> on lands shown on Figure 15.38.1	
15.38.2 Zone Provisions for All Lands		
The following regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum <i>yard</i> abutting any <i>public road</i>	1.0 m
b)	Maximum <i>yard</i> abutting any <i>public road</i>	As shown on Figure 15.38.1
c)	Minimum setbacks below <i>grade</i>	0.0 m
d)	Minimum height of the first <i>storey</i>	4.0 m, and shall not apply to <i>townhouse dwellings</i>

e)	Minimum height and number of <i>storeys</i> for a <i>townhouse dwelling</i> permitted by Section 15.38.1(a) of this By-law.	Shall not apply
f)	Minimum number of <i>storeys</i> for any part of a <i>building</i> containing only <i>ancillary residential uses</i> and recreational space.	2
g)	Minimum height for lands shown within the black boundary line (greater than or equal to 61.0 metres from Oak Park Boulevard) on Figure 15.38.1.	23.0 m
h)	Footnote 3 of Table 8.2, relating to the prohibition of <i>dwelling units</i> on a <i>first storey</i> , shall not apply on lands where <i>townhouse dwellings</i> are permitted as shown on Figure 15.38.1.	
i)	Maximum allowable projection for an awning, canopy or similar weather-shielding <i>structure, patio</i> accessory to a <i>restaurant</i> .	Up to the applicable <i>lot line</i>
j)	Maximum allowable projection for stairs, <i>porches, balconies</i> , at-grade terraces, cornices, pilasters, or bay windows with or without a foundation.	Up to 0.5 m from the <i>front or flankage lot line</i>
k)	<i>Balconies</i> are permitted in any <i>yard</i> and the maximum allowable projection shall not apply.	
l)	Maximum <i>net floor area</i> for a <i>premises</i> occupied by a <i>use</i> subject to Footnote 7 of Table 8.2.	500.0 m ²
m)	Minimum setback for rooftop mechanical equipment and a <i>mechanical penthouse</i> greater than 2.0 metres in height and not screened by an extension of the <i>building</i> façade from all edges of the roof.	4.0 m, and shall be screened by an architectural feature.
n)	<i>Uses</i> subject to Footnote 6 of Table 8.2, related to location of office <i>uses</i> , are limited to a cumulative maximum width of 80% of the <i>building</i> in the first 9.0 metres of depth of the <i>building</i> , measured in from the <i>main wall</i> oriented toward the <i>front lot line</i> .	
o)	For the purposes of Footnote 6 of Table 8.2 and Section 15.38.2(n), common entranceways, lobby space, and other permitted <i>ancillary residential uses</i> on the first <i>storey</i> shall not be included in the 80% <i>building</i> width measurement limitation calculation required in Section 8.8. Only the <i>main wall</i> proportion is subject to the 80% width calculation for the width of the <i>building</i> .	

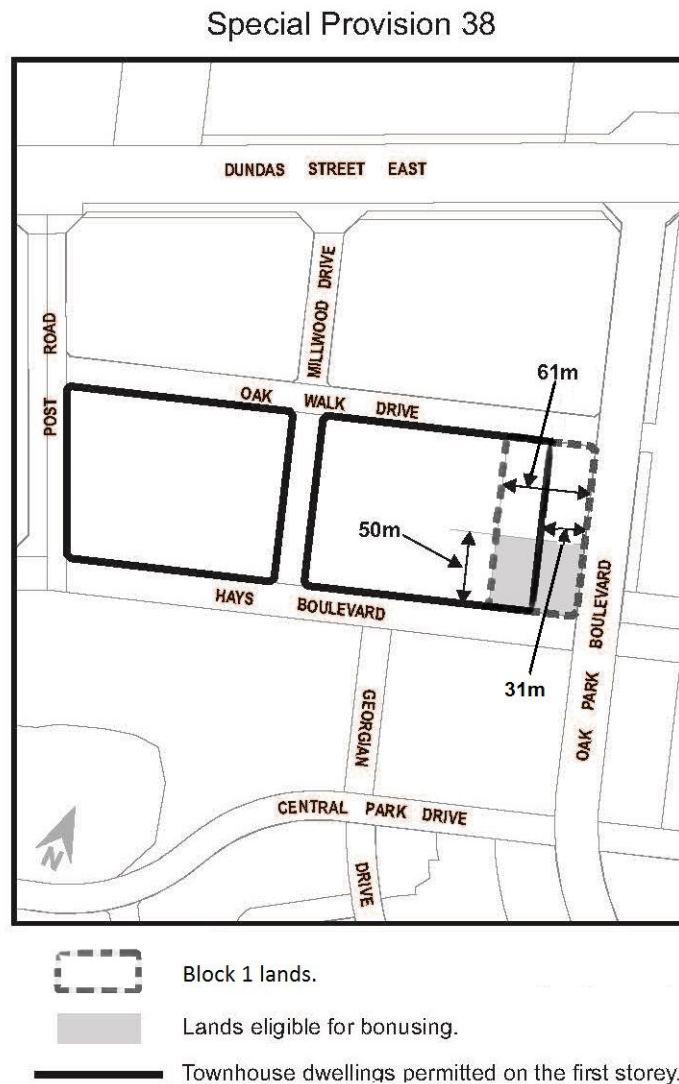
p)	Footnote 3 of Table 8.2, relating to the prohibition of <i>dwelling units</i> on a <i>first storey</i> , shall not apply to <i>townhouse dwellings</i> .	
15.38.3 Parking Provisions		
The following parking regulations apply:		
a)	Minimum number of parking spaces for residential uses	1.5 per dwelling, inclusive of visitor parking
b)	Maximum number of parking spaces for residential uses	1.75 per dwelling, inclusive of visitor parking
c)	Minimum number of parking spaces for non-residential uses	1 per 35.0 m ² net floor area
d)	Maximum number of parking spaces for non-residential uses	1 per 20.0 m ² net floor area
e)	Visitor <i>parking spaces</i> for residential <i>uses</i> may be counted toward the minimum number of <i>parking spaces</i> for non-residential <i>uses</i> to a maximum of 0.25 per <i>dwelling unit</i> .	
f)	Visitor <i>parking spaces</i> for residential <i>uses</i> may be provided in any combination of a <i>parking structure</i> , <i>surface parking area</i> , or on a <i>private road</i> .	
g)	A <i>surface parking area</i> shall not be permitted between any <i>building</i> and a <i>public road</i> .	
h)	Maximum <i>surface parking area coverage</i>	20%
15.38.4 Additional Zone Provisions for Block 1		
The following additional regulations apply to lands identified as Block 1 on Figure 15.38.1:		
a)	The <i>lot line</i> abutting Oak Park Boulevard shall be deemed to be the <i>front lot line</i> .	
b)	Maximum <i>yard</i> abutting any <i>public road</i>	3.0 m and shall only apply to the first 12.0 m in <i>height</i>
c)	An urban square, measuring no less than 300 square metres, is required within a <i>flankage yard</i> .	
d)	Maximum <i>yard</i> abutting any <i>public road</i> where an urban square, measuring no less than 300 square metres, is provided in that <i>yard</i> .	Shall not apply
e)	Minimum setback of non-residential <i>uses</i> from Hays Boulevard	4.0 m

f)	Minimum <i>height</i> , excluding <i>townhouse dwellings</i>	22.0 m and 8 <i>storeys</i>
g)	Maximum <i>height</i> (upon execution of a Section 37 agreement) for lands shown on Figure 15.38.1.	43.0 m and 12 <i>storeys</i>
h)	Minimum <i>height</i> of a <i>first storey</i> for non-residential uses	4.5 m
i)	<i>Uses</i> subject to Footnote 6 of Table 8.2, related to location of office <i>uses</i> , are limited to a cumulative maximum width of 40% of the <i>building</i> in the first 9.0 metres of depth of the <i>building</i> , measured in from the <i>main wall</i> oriented toward the <i>front lot line</i> .	
j)	Minimum required <i>net floor area</i> for retail <i>uses</i> located on the <i>first storey</i> .	1,080.0 m ²
k)	Minimum required <i>net floor area</i> for retail <i>uses</i> at the corner of Hays Boulevard and Oak Park Boulevard.	500.0 m ²
l)	Non-residential units located on the <i>first storey</i> shall have a minimum of one main entrance oriented towards a <i>street</i> or an outdoor communal <i>amenity area</i> .	
m)	Minimum percentage of glazing of the <i>first storey building</i> wall for non-residential <i>uses</i> oriented toward any <i>front lot line</i> and <i>flankage lot line</i> for each individual <i>building</i> .	75%
n)	Section 15.38.2 (m) shall not apply.	
15.38.5 Parking Provisions for Block 1		
The following parking regulations apply:		
a)	Minimum number of <i>parking spaces</i> required for residential <i>uses</i>	1.4 per <i>dwelling unit</i> , inclusive of visitor parking
b)	Maximum number of <i>parking spaces</i> required for residential <i>uses</i>	1.5 per <i>dwelling unit</i> , inclusive of visitor parking
c)	Minimum number of <i>barrier-free parking spaces</i> for residential <i>uses</i>	1% of the number of <i>parking spaces</i> provided
d)	Stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building</i> wall and a <i>public road</i> or an urban square.	

e)	Ventilation shafts/housing and stairways associated with an underground <i>parking garage</i> are not permitted between a <i>building wall</i> and <i>the flankage lot line</i> where walkways are located.
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15.38.6 Special Site Figures

Figure 15.38.1



15.38.7 Special Site Provisions

The following additional provisions apply:

a)	All lands identified as subject to this Special Provision shall be considered as one <i>lot</i> for the purposes of this By-law.
b)	Height shall be measured from the finished floor elevation at grade.

15.38.8 Bonusing Provisions	
In order to permit the increased permissions contained in this Special Provision, zoning compliance for height and <i>storeys</i> shall be dependent upon the registration on title of an agreement or agreements pursuant to Section 37 of the <u>Planning Act</u> . The owner of the subject lands shall provide to the satisfaction of the Town the facilities, services, and matters in the form of one or more of the following:	
a)	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 the Official Plan.

3. Section 16, Holding Provisions, of By-law 2014-014 is amended by adding a new Section 16.3.44 as follows:

"H44	Hays Boulevard and Oak Walk Drive (Block 15 and Part of Block 4, Plan 20M-1032)	Parent Zone: MU4
Map 19(22a)		(2019-125)
16.3.44.1 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> .	
16.3.44.2 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 conditions shall first be completed to the satisfaction of the <i>Town of Oakville</i> :		
d)	Registration on title of a Section 37 Agreement per the <u>Planning Act</u>	

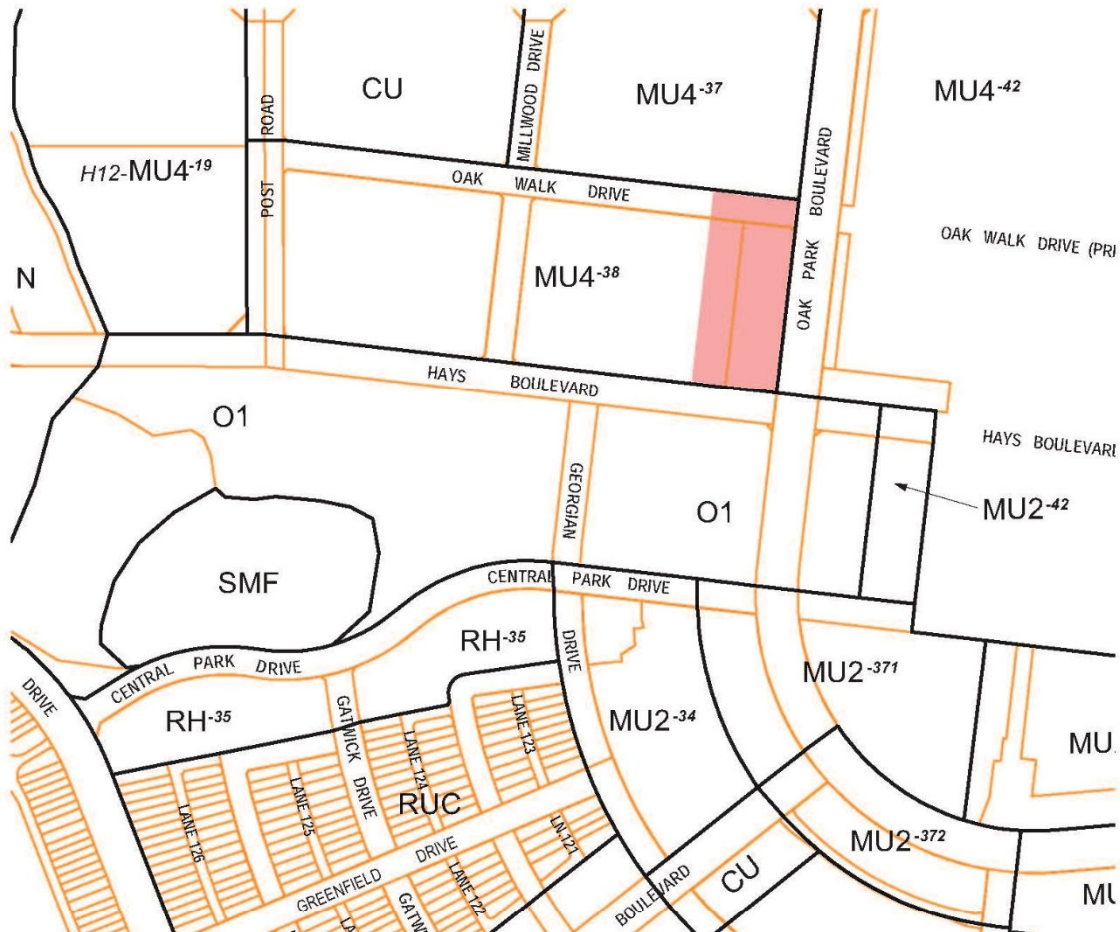
4. This By-law comes into force in accordance with Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED this 2nd day of December, 2019


MAYOR

CLERK

SCHEDULE "A"
To By-law 2019-125



AMENDMENT TO BY-LAW 2014-014

 Lands rezoned from MU4 sp:38 to H44-MU4 sp:38

EXCERPT FROM MAP
19 (22a)



SCALE 1 : 4000