

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2014-080

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lot 15, Concession 1 N.D.S. (Sixth Line Corporation, File No.: Z.1315.02)

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(5) of By-law 2009-189, as amended, is further amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Part 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.29 as follows:

“29	Sixth Line Corporation	Parent Zone: NC
Map 12(5)	(Part of Lot 15, Concession 1 N.D.S.)	(2014-080)
8.29.1 Additional Permitted Uses		
The following additional <i>uses</i> are permitted:		
a)	<i>Single-detached, semi-detached and townhouse dwellings</i> , which shall be subject to the provisions of the General Urban (GU – SP 3) <i>Zone</i> unless otherwise modified by this Special Provision	
8.29.2 Zone Regulations for Mixed Use Buildings		
The following regulations apply to <i>mixed use buildings</i> :		
a)	<i>Dwelling units</i> are not permitted on a <i>first storey</i> except where the <i>front wall</i> of the <i>dwelling unit</i> is not oriented toward a <i>public street</i>	
b)	Permitted non-residential uses are only permitted on a <i>first storey</i> . The <i>front wall</i> of the premises shall be oriented toward a <i>public street</i>	
c)	Notwithstanding subsection (b) above, permitted office and ancillary residential <i>uses</i> are permitted on any <i>storey</i>	
d)	<i>Minimum rear yard</i> below grade	0.0 m
e)	Minimum <i>height</i> of the <i>first storey</i>	4.5 m, and shall not apply to that portion of a building occupied by a <i>dwelling unit</i>

f)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from any <i>front lot line</i> or <i>flankage lot line</i>
g)	Maximum <i>height</i>	17.0 m, and excludes features identified in subsections (h), (i), and (j) below
h)	Maximum height of parapets	3.0 m
i)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower	6.0 m
j)	Maximum height of rooftop architectural features	6.0 m
k)	Maximum length of a <i>building</i> wall parallel to a <i>public street</i>	50.0 m
l)	Maximum projection of a <i>balcony</i>	2.0 m
m)	Where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height and are not integrated with the extension of a <i>building's</i> façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an opaque architectural feature.	
n)	Any podium, stepped back, or terraced portions of a <i>building</i> are permitted below the minimum <i>height</i> .	
o)	Stairs and air vents associated with an underground <i>parking garage</i> are permitted in any <i>yard</i> .	
8.29.3 Parking Regulations		
The following parking regulations apply:		
a)	Minimum width of a <i>parking space</i> in a <i>private garage</i>	2.9 m
b)	One step may encroach into the length and width of a <i>parking space</i> within a <i>private garage</i> at the end of the <i>parking space</i> ."	

3. Section 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding new Sections 9.3.9 and 9.3.10 as follows:

“H9	Sixth Line Corporation	Parent Zone: NC, GU
Map 12(5)	(Part of Lot 15, Concession 1 N.D.S.)	(2014-080)
9.3.9.1 Only Permitted Uses Prior to Removal of the “H”		
For such time as the “H” symbol is in place, these lands shall only be <i>used</i> for the following:		
a)	Legal <i>uses, buildings and structures</i> existing on the <i>lot</i> .	
9.3.9.2 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> :		
a)	The Director of Planning is satisfied the lands may be developed in accordance with the phasing policies [Section 7.9.2(c)] of the North Oakville Secondary Plan, as amended.	

“H10	Sixth Line Corporation	Parent Zone: NC
Map 12(5)	(Part of Lot 15, Concession 1 N.D.S.)	(2014-080)
9.3.10.1 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)	All <i>uses</i> permitted in the Neighbourhood Centre (NC – SP 29) <i>Zone</i>	
9.3.10.2 Zone Regulations Prior to Removal of the “H”		
For such time as the “H” symbol is in place, the provisions of the Neighbourhood Centre (NC – SP 29) <i>Zone</i> shall apply. Notwithstanding this, the following regulations shall additionally apply for such time as the “H” symbol is in place:		
a)	<i>Dwelling units</i> are not permitted on the <i>first storey</i>	
9.3.10.3 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> :		
a)	Holding Provision H9 has been removed from the subject lands.	
b)	A minimum of three years has passed since the date of registration of the underlying draft plan of subdivision.”	

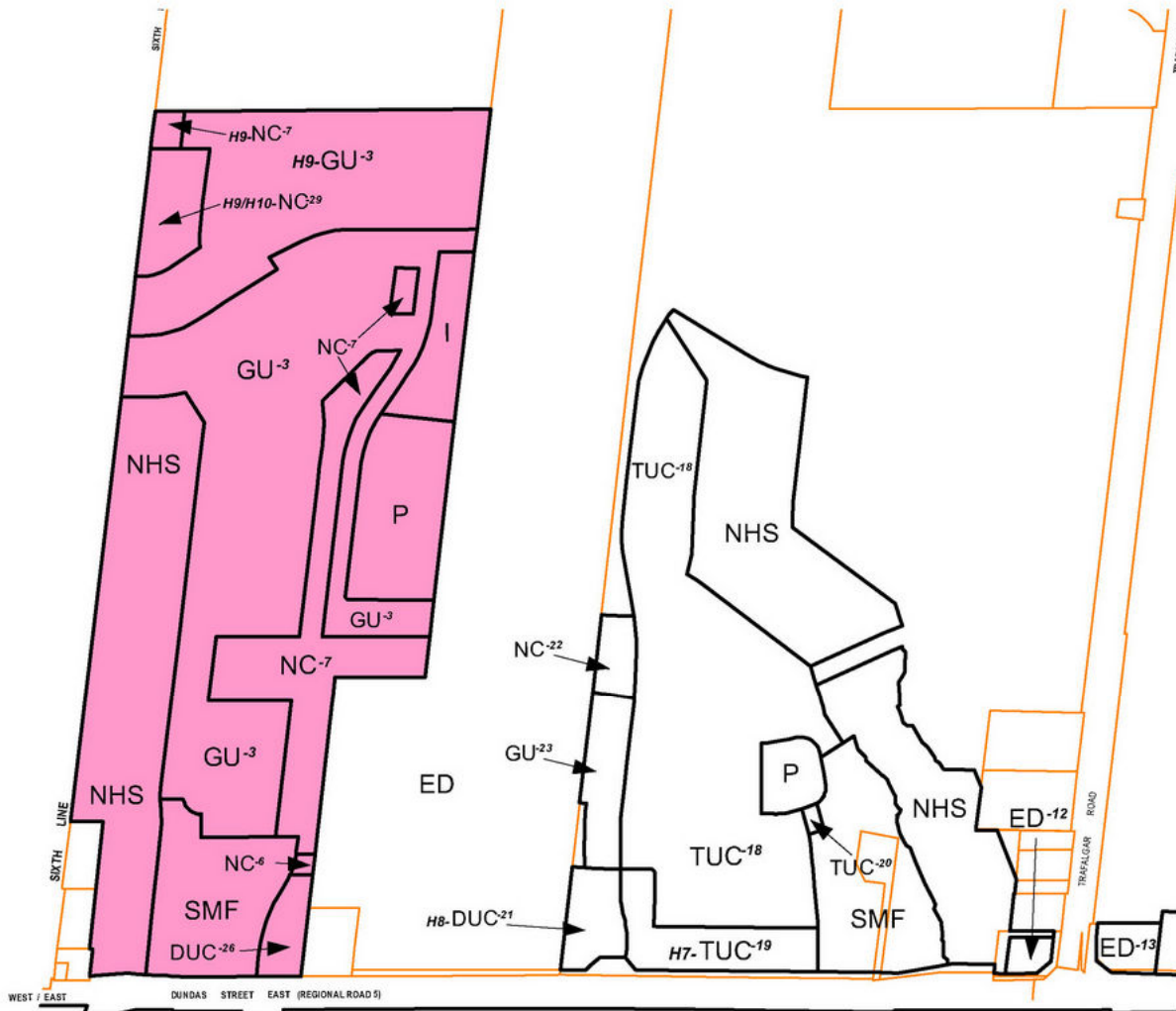
4. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 7th day of July, 2014

MAYOR

CLERK

SCHEDULE "A"
To By-law 2014-080



PROPOSED AMENDMENT



Rezoned from Existing Development (ED) to Dundas Urban Core (DUC – SP 26), Neighbourhood Centre (NC – SP 6), Neighbourhood Centre (NC – SP 7), Neighbourhood Centre (H9 - NC – SP 7), Neighbourhood Centre (H9/H10 - NC – SP 29), General Urban GU – (GU - SP 3), General Urban GU – (H9 - GU - SP 3), Stormwater Management Facility (SMF), Natural Heritage System (NHS), Park (P) and Institutional (I)

EXCERPT FROM MAP
12 (5)



SCALE 1 : 7500