



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2016-108

A by-law to amend the North Oakville Zoning By-law 2009-189 to change the general regulations for accessory buildings and structures in all zones, and to specify the applicable regulations for public parks outside of the Park (P) zone.
(Town of Oakville, File No.: 42.03.89)

COUNCIL ENACTS AS FOLLOWS:

1. Section 3.0, Definitions, of By-law 2009-189 is amended by adding a new definition as follows:

“**grade**” means the average level of proposed or finished ground adjoining a *building or structure*.”

2. Section 3.0, Definitions, of By-law 2009-189 is amended by deleting and replacing the definition of “height” or “height, overall” as follows:

“**height**” or “**height, overall**” means:

- i. when the regulation establishes a specific dimension, the vertical distance between the *established grade* to the highest point of a *structure*
- ii. when the regulation establishes height in storeys, the number in storeys
- iii. when the regulation establishes a specific dimension for an *accessory building or structure*, other than detached *residential garages* and *enclosed and roofed walkways*, the vertical distance between the *grade* to the highest point of an *accessory building or structure*.”

3. In section 4.3, General Regulations, Uses Permitted in All Zones, of By-law 2009-189, section 4.3.2, All Zones Except NHS and ED, is amended by deleting and replacing subsection x. as follows:

“x. *Public park*, subject to the regulations of the Park (P) Zone;”

4. In section 4.14, General Regulations, Standards for Accessory Buildings and Structures, of By-law 2009-189, section 4.14.1, Permitted Locations and Setbacks from Lot Lines, is amended by adding a new subsection as follows:
- “v. Notwithstanding subsections i. through iv., in no case shall an *accessory building or structure* in the Institutional (I), Park (P) or Stormwater Management Facility (SMF) Zones, other than a detached *private garage or enclosed or roofed walkway*, be located:
 - a. closer than 5.0 metres from a *lot line* abutting a *public street*;
and,
 - b. closer than 5.0 metres from a *lot line* abutting a zone other than the Institutional (I), Park (P) or Stormwater Management Facility (SMF) Zones.”
5. In section 4.14, General Regulations, Standards for Accessory Buildings and Structures, of By-law 2009-189, section 4.14.2, Maximum Height, is amended by deleting and replacing the clause as follows:
- “i. The maximum permitted *overall height* of an accessory building is 4.0 metres measured from *grade*, and there is no minimum height requirement.
 - ii. Notwithstanding subsection i., in the Institutional (I), Park (P) and Stormwater Management Facility (SMF) Zones, the maximum permitted *overall height* is 6.0 metres measured from *grade*, and there is no minimum height requirement.”
6. 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 1st day of November, 2016

MAYOR

CLERK