

**BY-LAW NUMBER 2016-114**

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 Lots 17, 18 & 19 (Pendent Developments Ltd. and Lower Fourth Developments Limited, File No.: Z.1318.03)

**COUNCIL ENACTS AS FOLLOWS:**

1. Map 12(4) of By-law 2009-189, as amended, is 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 amended by adding new Sections 8.51, and 8.52, as follows:

<b>51</b>	<b>Pendent Developments Ltd. and Lower Fourth Developments Limited</b> (Part of Lots 17, 18 & 19)	Parent Zone: NC-2
Map 12(4)		(2016-114)
<b>8.51.1 Zone Regulations</b>		
a)	Minimum number of units for Block 1, Block 2 and Block 3 lands combined	160
<b>8.51.2 Permitted Building Types for Block 1 Lands</b>		
Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:		
<ul style="list-style-type: none"><li>• Mixed use building;</li><li>• Parking Garage, permitted underground only with an associated mixed use building.</li></ul>		
<b>8.51.3 Zone Regulations for Mixed Use Buildings on Block 1 lands</b>		
The following regulations apply to <i>mixed use buildings</i> :		
a)	Dwelling units are not permitted on a first storey unless they are separated from the wall facing a public street by a commercial unit.	
b)	Non-residential uses are only permitted on a first storey. The front wall of the premises shall be oriented toward a public street.	
c)	Notwithstanding subsection (b) above, office and ancillary residential uses are permitted on any storey.	

d)	Retail, Service Commercial or Community Uses shall be required within the first 9m of depth of the building, measured in from the main wall oriented toward the front lot line of North Park Boulevard or flankage lot line of Carding Mill Trail, on the first storey.  Notwithstanding this, an ancillary residential use on the first storey is permitted to occupy a maximum of 15% of the length of the main wall oriented toward a public road.	
e)	Minimum <i>rear yard</i> below grade	0.0 m
f)	Minimum storey height of the first storey, as measured from the top of floor to the top of floor or roof above (shall not apply to that portion of a building occupied by a dwelling unit)	4.5 m
g)	Maximum permitted encroachment for bay, box out, and bow windows with or without foundation	Up to 0.3 m from a front lot line or flankage lot line
h)	Minimum Building Height	4 storeys
i)	Maximum height of parapets from top of roof	3.0 m
j)	Maximum height of mechanical and/or elevator penthouse, rooftop equipment, and stair tower from top of roof	6.0 m
k)	Maximum height of rooftop architectural features from top of roof	6.0 m
l)	Maximum projection of a balcony into any yard	2.0 m
m)	Notwithstanding j), where any rooftop equipment, mechanical and/or elevator penthouse and stair tower exceed 2.0 metres in height from top of roof and are not integrated with the extension of a building's façade, these must be set back a minimum of 4.0 metres from all edges of the roof and screened by an architectural feature.	
n)	Any podium, stepped back, or terraced portions of a building are permitted below the minimum height.	
o)	Stairs and air vents associated with an underground parking garage are permitted in any yard.	

#### 8.51.4 Permitted Building Types for Block 2 Lands

Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:

- Mixed use building;
- Apartment;
- Parking Garage, permitted underground only with an associated mixed use building.
- Stacked townhouse dwelling, subject to the related standards for Apartments;

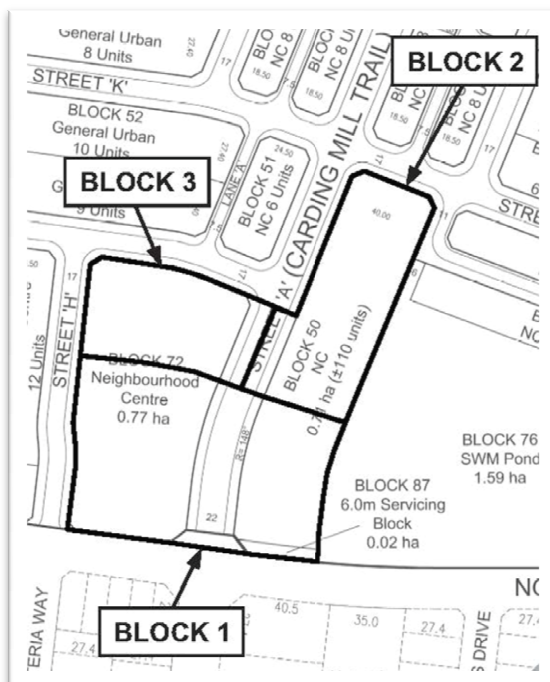
a)	Minimum Building Height	4 storeys
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#### 8.51.5 Permitted Building Types for Block 3 Lands

Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:

- Commercial/residential building;
- Townhouse dwelling unit lane access;
- Stacked townhouse dwelling, subject to the related standards for Apartments;

#### 8.51.6 Special Site Figures



52	Pendent Developments Ltd. and Lower Fourth Developments Limited  (Part of Lots 17, 18 & 19)	Parent Zone: NC-2																		
Map 12(4)		(2016-114)																		
8.52.1 Permitted Building Types																				
Notwithstanding the permitted building types listed in Table 7.5.2 the following building types shall only be permitted:																				
<ul style="list-style-type: none"><li>• Apartment;</li><li>• Parking garage, permitted underground only with an associated apartment building.</li></ul>																				
8.52.2 Zone Regulations																				
In addition to the permitted uses and regulations of the Neighbourhood Centre (NC-2) Performance Zone, the following regulations shall apply:																				
a)	Minimum number of residential dwelling units	62																		
b)	Maximum number of residential dwelling units	102																		
c)	Notwithstanding Section 7.5.5, Maximum Height	12 storeys and 43 metres																		
d)	Carding Mill Trail shall be deemed the front lot line																			
e)	Storeys 1-4: Minimum front yard (Carding Mill Trail) and minimum flankage yard (Polly Drive)	2m																		
f)	Storeys 1-4: Maximum front yard (Carding Mill Trail) and maximum flankage yard at (Polly Drive)	6m																		
g)	Minimum front yard (Carding Mill Trail) <table><tr><td>Portion up to 4 storeys</td><td>2 m</td></tr><tr><td>5<sup>th</sup> storey</td><td>4.4 m</td></tr><tr><td>6<sup>th</sup> storey</td><td>6.8 m</td></tr><tr><td>7<sup>th</sup> storey</td><td>9.2 m</td></tr><tr><td>8<sup>th</sup> storey</td><td>11.6 m</td></tr><tr><td>9<sup>th</sup> storey</td><td>14 m</td></tr><tr><td>10<sup>th</sup> storey</td><td>16.4 m</td></tr><tr><td>11<sup>th</sup> storey</td><td>18.8 m</td></tr><tr><td>12<sup>th</sup> storey</td><td>21.2 m</td></tr></table>		Portion up to 4 storeys	2 m	5 <sup>th</sup> storey	4.4 m	6 <sup>th</sup> storey	6.8 m	7 <sup>th</sup> storey	9.2 m	8 <sup>th</sup> storey	11.6 m	9 <sup>th</sup> storey	14 m	10 <sup>th</sup> storey	16.4 m	11 <sup>th</sup> storey	18.8 m	12 <sup>th</sup> storey	21.2 m
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12 <sup>th</sup> storey	21.2 m																			

h)	<p>Minimum rear yard</p> <table border="1" data-bbox="329 289 1083 726"> <tr> <td>Portion up to 4 storeys</td><td>14 m</td></tr> <tr> <td>5<sup>th</sup> storey</td><td>17.5 m</td></tr> <tr> <td>6<sup>th</sup> storey</td><td>21 m</td></tr> <tr> <td>7<sup>th</sup> storey</td><td>24.5 m</td></tr> <tr> <td>8<sup>th</sup> storey</td><td>28 m</td></tr> <tr> <td>9<sup>th</sup> storey</td><td>31.5 m</td></tr> <tr> <td>10<sup>th</sup> storey</td><td>35 m</td></tr> <tr> <td>11<sup>th</sup> storey</td><td>38.5 m</td></tr> <tr> <td>12<sup>th</sup> storey</td><td>42 m</td></tr> </table>	Portion up to 4 storeys	14 m	5 <sup>th</sup> storey	17.5 m	6 <sup>th</sup> storey	21 m	7 <sup>th</sup> storey	24.5 m	8 <sup>th</sup> storey	28 m	9 <sup>th</sup> storey	31.5 m	10 <sup>th</sup> storey	35 m	11 <sup>th</sup> storey	38.5 m	12 <sup>th</sup> storey	42 m
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10 <sup>th</sup> storey	35 m																		
11 <sup>th</sup> storey	38.5 m																		
12 <sup>th</sup> storey	42 m																		
i)	Storeys 5-12 shall be setback 1.5 m from wall facing Polly Drive.																		

3.

3. 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 November 28th, 2016

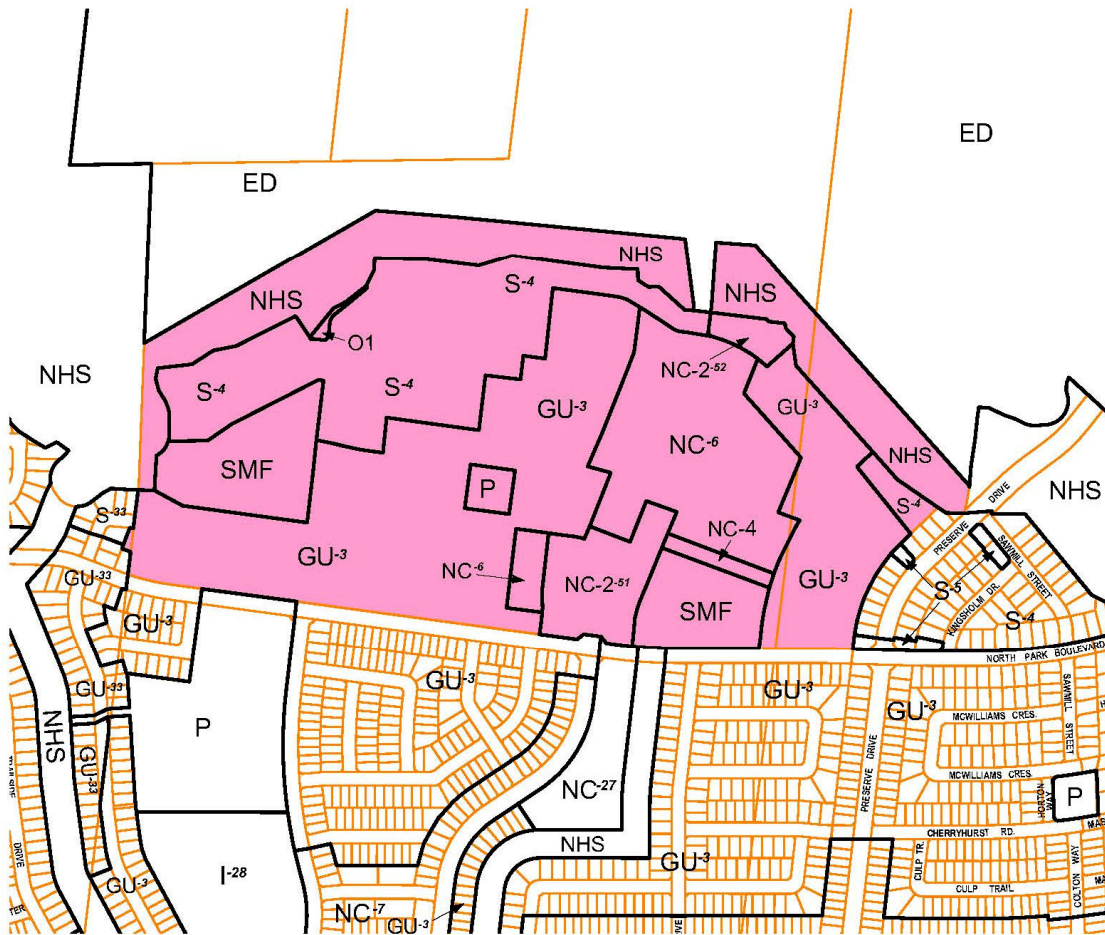
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MAYOR

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CLERK

**SCHEDULE "A"**  
**To By-law 2016-114**



**AMENDMENT TO BY-LAW 2009-189**

Rezoned from Existing Development (ED) to  
 General Urban (GU sp:3);  
 Sub-urban (S sp:4);  
 Neighbourhood Centre (NC sp:6);  
 Neighbourhood Centre (NC-4);  
 Neighbourhood Centre (NC-2 sp:51);  
 Neighbourhood Centre (NC-2 sp:52);  
 Park (P);  
 Open Space (O1);  
 Natural Heritage System (NHS); and  
 Stormwater Management Facility (SMF)

**EXCERPT FROM MAP**  
**12 (4)**



**SCALE 1 : 7000**