

BY-LAW NUMBER XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

**THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER XXX**

A By-law to amend By-law 2020, as amended; 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue
File No.: XXX

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-XX-XX on DATE, to amend the City's existing Zoning By-law 2020, as amended, to permit the redevelopment of the lands located at 1085 Clearview Avenue and 1082, 1086 & 1090 St. Matthews Avenue which will include a six storey residential building.

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. Zoning Map Number 3 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated on Schedule "A" attached hereto are hereby rezoned from R2.1 (Low Density) zone to the RH1 (High Density) zone with site specific regulations.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

Exception XXX	Zone RH1	Map 3	Amendment 2020.XXX	Enacted XXX
<ol style="list-style-type: none">1. For the purposes of this by-law, Masonry Court shall be deemed the front lot line.2. Regulation for Apartment Building<ol style="list-style-type: none">a) Minimum front yard: 3 metresb) Minimum rear yard abutting an R2 zone: 13 metresc) Maximum density: 259 units per hectared) Total amenity area: 16 sq. m. per unit				

- e) Landscape Areas and Buffers may include a transformer, exhaust shaft, hard and soft landscaping, amenity areas, curbs, below grade parking structure and decorative features.
- f) Landscape Area:
 - a. 0.8 m abutting Clearview Avenue
 - b. 1.2 m abutting Masonry Court
 - c. 1.5 m abutting St. Matthews Avenue
- g) Landscape Buffer abutting R2 zone: 2.5 m
- h) Parking spaces and driveways shall be setback 3.5 m from a window of a habitable room in a ground floor dwelling unit.
- i) Patios shall be permitted within the front yard and up to 1.0 m from the Street Line.
- j) Parking:
 - a. 1 occupant space per unit, plus;
 - b. 0.25 visitor spaces per unit.
- k) Below grade parking structures shall be permitted to extend into a required landscape buffer or area and be permitted up to:
 - a. 1.0 m from the Clearview Avenue street line;
 - b. 1.0 m from the St. Matthews Avenue street line;
 - c. 3.2 m from the rear lot line;
 - d. 1.0 m from Masonry Court.

Except as amended herein, all other provisions of the By-law and the RH1 zone, shall apply.

- 4 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;
- 4 b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this By-law does not come into force until all appeals have been finally

disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED thisday of 2019.

_____ MAYOR

_____ CITY CLERK

DRAFT