

# **SCHEDULE 8**

**Excerpts from  
City of Burlington  
Zoning By-law 2020**

**THE CORPORATION OF THE CITY OF BURLINGTON**

**ZONING BYLAW 2020 AS AMENDED**

**JUNE 1999**

**REVISED JANUARY 2013<sup>2015</sup>**

Angela Morgan  
CITY CLERK

---



**2. PERMITTED USES**

2A. The uses permitted in DC, DW, and DL Zones shall be in accordance with Table 6.2.1.

Table 6.2.1

USES (a)	ZONES			
	DC	DW	DL-A & DL-B	DL-C
<b>Retail Commercial</b>				
Department Store	✓	✓		
Flea Market	✓ (h)	✓ (h)		
Large Furniture and Appliance Store	✓	✓		
Supermarket/Grocery Store	✓	✓		
Convenience/Specialty Foods Store	✓	✓	✓	✓
Farmers' Market	✓	✓		
Other Retail Stores	✓	✓	✓	✓
<b>Service Commercial</b>				
Standard Restaurant	✓ (a)	✓ (a)	✓ (a)	✓ (a)
Standard Restaurant with Dance Floor	✓ (a)(i)	✓ (a)(i)	✓ (a)(i)	✓ (a)(i)
Fast Food Restaurant	✓ (a)	✓ (a)	✓ (a)	✓ (a)
Convenience Restaurant	✓ (a)	✓ (a)	✓ (a)	✓ (a)
Terrace Patio	✓	✓	✓	✓
Funeral Home	✓ (b)			
Elevated Parking Facility	✓ (d)	✓ (d)		
Veterinary Services	✓ (c)	✓ (c)	✓ (c)	✓ (c)
Other Service Commercial Uses	✓	✓	✓	✓
<b>Office</b>				
All Office Uses	✓ (g)	✓ (g)	✓ (g)	✓ (g)
<b>Community</b>				
Community Institution	✓ (g)	✓ (g)	✓ (g)	✓ (g)
<b>Hospitality</b>				
Hotel	✓ (g)	✓ (g)	✓ (g)	✓ (g)
Convention/Conference Centre	✓ (g)	✓ (g)	✓ (g)	✓ (g)
Banquet Centre	✓	✓	✓	✓
Caterer	✓	✓	✓	✓
<b>Entertainment and Recreation</b>				
Recreational Establishment	✓	✓	✓	✓
Entertainment Establishment	✓	✓	✓	✓
Night Club	✓ (e)	✓ (e)	✓ (e)	✓ (e)
<b>Residential</b>				
Dwelling Units in a commercial/office building	✓	✓	✓	✓
Apartment Building	✓ (g)	✓ (g)	✓ (g)	✓ (g)
Retirement Home	✓ (g)	✓ (g)	✓ (g)	✓ (g)

**Footnotes to Table 6.2.1**

(a) Drive-through facilities are not permitted in conjunction with any permitted use.

(b) Not permitted on lands abutting a residential zone and DRH, DRM, DRL zones.

- (c) The keeping of animals outside is not permitted.
- (d) Excluding a driveway entrance, the ground floor area of all parking structures within 15 metres of a public street shall be used for retail, service commercial, entertainment, or recreation uses.
- (e) Not permitted in a building containing residential dwelling units. Maximum capacity shall not exceed 500 persons. Not permitted within 45 m of R, DRM & DRH zones.
- (f) Permitted only for a maximum period of 90 days and limited to one occasion in a 12-month period.
- (g) The ground floor of any building within 15 metres of a public street shall be used only for retail or service commercial uses, except when located on the following streets:
  - (i) West side of Brant Street, between Baldwin Street and Caroline Street;
  - (ii) West side of Locust Street, between Caroline Street and a point 40 m north of Elgin Street;
  - (iii) East side of Pearl Street, between Pine Street and a point 60 m north;
  - (iv) West side of Martha Street, between Maria Street and James Street;
  - (v) West side of Emerald Crescent, north of Caroline Street;
  - (vi) South side of Victoria Avenue, from a point 30 m east of Brant Street to a point 110 m east of Brant Street.
- (h) Flea markets are permitted as a temporary use only, for a period not to exceed 30 days and limited to one occasion in a 12-month period.
- (i) In buildings containing residential dwelling units, a Standard Restaurant, with Dance Floor is only permitted at grade where office uses or uses accessory to residential are located on the second storey.

2B. The uses permitted in DRH, DRM, and DRL zones shall be in accordance with table 6.2.2:

**Table 6.2.2**

USES	ZONES		
	DRH	DRM	DRL
<b>Residential (a)</b>			
Detached Dwelling		✓ (b)	✓ (c)
One Accessory Dwelling Unit		✓ (b)	✓ (c)
Semi-Detached Dwelling		✓ (d)	
Duplex Dwelling		✓	
Triplex Dwelling		✓	
Fourplex Dwelling		✓	
Townhouse		✓	
Street Townhouses		✓	
Stacked Townhouses		✓	
Back-to-Back Townhouses		✓	
Apartment Building	✓	✓	
Retirement Home	✓	✓	
Offices in an existing building	✓	✓	✓ (e)
Offices on the ground floor of a residential building	✓	✓	✓ (e)

**Footnotes to Table 6.2.2:**

- (a) All residential uses permitted in Table 6.2.2 shall be subject to Part 2, Subsection 2 “Prohibited Uses”
- (b) Subject to DRL zone regulations
- (c) Subject to R3.2 zone regulations and footnote (a) of Table 2.3.1
- (d) Subject to RM1 zone regulations
- (e) Permitted only within an existing building on lots south of Ontario Street, and on lots abutting the north side of Ontario Street between Hager Avenue and Locust Street, and subject to the following regulations:
  - Parking shall be provided in accordance with Part 1, Subsections 2.25 and 2.26 of this By-law.
  - Landscape buffer abutting lands zoned DRL or a residential zone: 3 m
  - 50% of the area of the front yard and street side yard shall be landscaped, including a 3 m landscape area abutting a street.
  - On lands abutting a residential or DRL zone fencing shall be installed along the common boundary with the residential or DRL zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense screen.
  - The outdoor storage and display of merchandise, material, or equipment is prohibited.

**3. PROHIBITED USES**

In addition to Part 1, Subsection 2.22 “Prohibited Uses”, the following uses are also prohibited:

- Warehouse Club
- Lumber Sales
- Swimming Pool Sales and Service
- Recreational Vehicle and Utility Trailer Sales and Service
- Boats, Motorcycles, Snowmobiles Sales and Service
- Heavy Machinery and Equipment Sales and Service
- Car Wash
- Video Game/Pinball Machine Arcade
- Propane Cylinder Handling Facility
- Bulk Propane Storage Depot
- Adult Entertainment Establishment

Residential uses permitted in Table 6.2.1 shall be subject to Part 2, Subsection 2, “Prohibited Uses”

**4. DC, DW, DL-A & DL-B ZONE REGULATIONS**

(DOWNTOWN CORE)  
 (DOWNTOWN WELLINGTON SQUARE)  
 (DOWNTOWN OLD LAKESHORE ROAD)

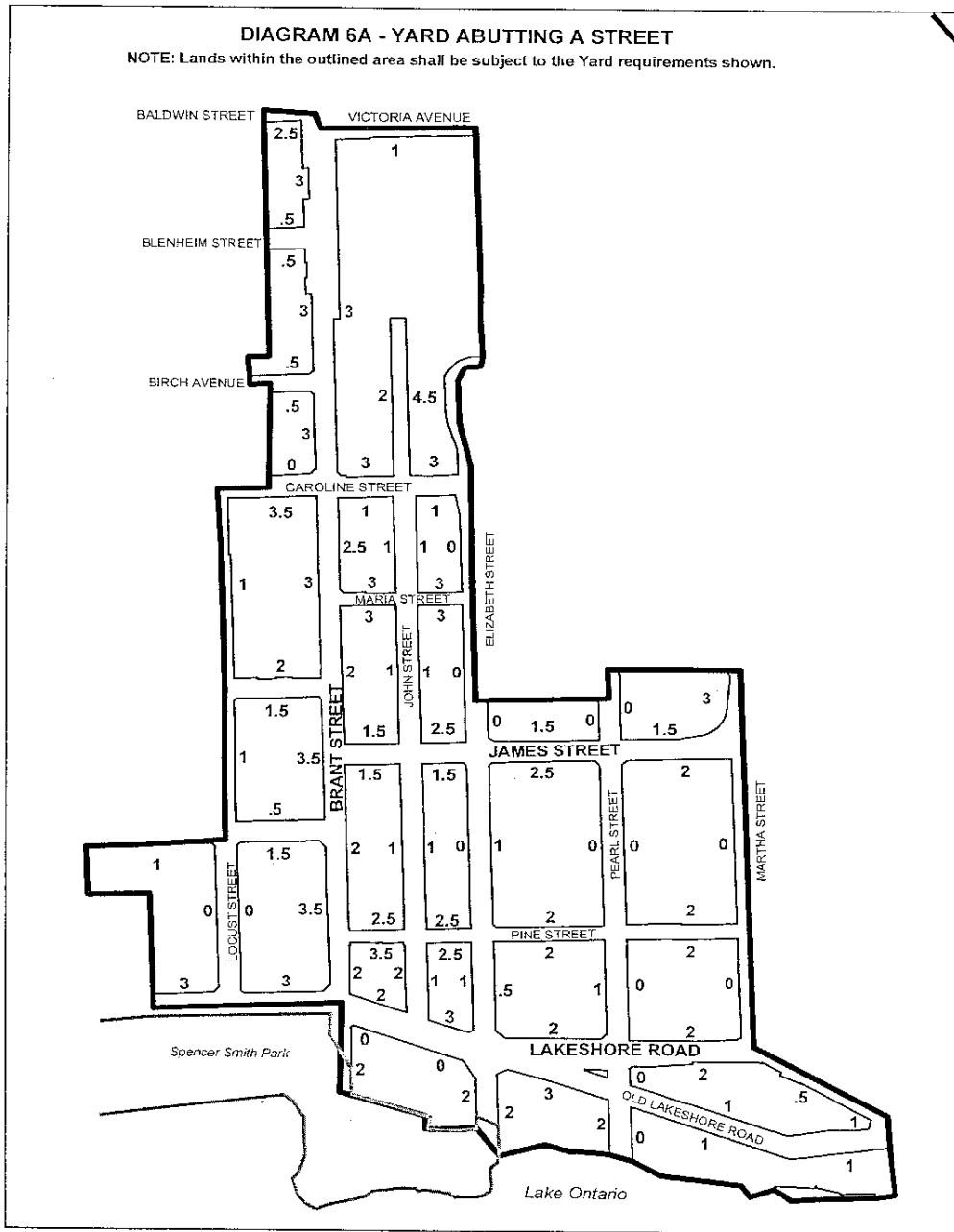
**4.1 LOT WIDTH, AREA, AND YARDS**

Table 6.4.1

Regulation	Requirement
Lot width	7.5 m
Lot Area	no minimum
Yard abutting a street	<p><b>DC Zone:</b></p> <p>Floors 1 to 4:                      Minimum: as required on Diagram 6A                      Maximum for first floor: 1 m greater than Diagram 6A</p> <p><b>DW, DL-A &amp; DL-B Zones:</b></p> <p>(a) For buildings containing 4 floors:                      Minimum: As required on Diagram 6A                      Maximum for first floor only: 1 m greater than Diagram 6A</p> <p>(b) For buildings containing greater than 4 floors:                      Floors 1 to 2:                      Minimum: As required on Diagram 6A                      Maximum for 1<sup>st</sup> and 2<sup>nd</sup> floors only: 1 m greater than Diagram 6A</p> <p>Floors 3 to 8:                      Minimum: As required on Diagram 6A, plus 2 m.</p>
Rear Yard & Side Yard	<p>None required for lots abutting Brant Street, Lakeshore Road, Old Lakeshore Road, John Street, Elizabeth Street, James Street, Pearl Street, Pine Street, Maria Street, Martha Street, both sides of Locust Street south of Elgin Street, and the east side of Locust Street between Elgin Street and Caroline Street.</p> <p>1.5 m for all other lots.</p>
Yard abutting a residential, DRM, or DRL zone:	3 m
Yard abutting P and PC zones:	None required
Building setback from a creek block	7.5 m, 4.5 m if block includes a 3 m buffer
Yard abutting a pipeline easement	<p>7 metres rear yard, 3 metres side yard</p> <p>Notwithstanding Part 1, Subsection 2.26 (5) of this by-law, no setback is required for a below-grade parking structure in a DC, DW, DL-A, and DL-B zone from a street line or a property line abutting a DC, DW, DL-A or DL-B zone.</p>

DIAGRAM 6A – YARD ABUTTING A STREET

**Note:** Lands within the outlined area shall be subject to the Yard requirements shown. Where no requirement is shown a minimum yard is not required.





#### 4.2 BUILDING HEIGHT

Minimum:	DC, DL-A, & DL-B zones:	2 storeys
	DW zone:	2 storeys
Maximum:	DC, DW, DL-A, & DL-B zones:	4.5 m each
	First and second storeys:	4.5 m each
Maximum:	DC zone:	4 storeys and 15 metres
	DW zone:	8 storeys and 29 metres
	DL-A zone:	10 storeys and 31.5 metres
	DL-B zone:	6 storeys and 19.5 metres

The floor area of the second, third, and fourth storeys of a building containing more than one storey must be at least 50% of the floor area of the first storey.

#### 4.3 FLOOR AREA RATIO AND DENSITY

Floor Area Ratio:	DC zone:	4.0:1 maximum
	DW zone:	5.0:1 maximum
	DL-A zone:	4.5:1 maximum
	DL-B zone:	3.25:1 maximum

Notwithstanding the above, within the block bounded by James, Elizabeth, Pine, and John Streets, south of the Trans Northern Pipeline, any building which has more than 50% of its gross floor area devoted to a public post-secondary educational institution may have a maximum building height of ten storeys and a maximum floor area ratio of 5.0:1.

Density for a residential building in a DW, DL-A, & DL-B zone: 51 units/hectare minimum

#### 4.4 SEPARATION DISTANCE

Standard Restaurant:	15 m between the use and a residential or DRL zone
Fast Food Restaurant:	30 m between the use and a residential or DRL zone
Night Club:	45 m between the use and a residential or DRL zone

#### 4.5 BUILT FORM

- (a) Parking areas and driveways shall be prohibited between any building and a street, other than a driveway access into an elevated or underground parking facility.
- (b) The first floor elevation of any building facing a street shall have a minimum of 60% glazing.

- (c) A decorative finish shall be applied to all exterior walls facing a street or residential zone.
- (d) Overhead doors are not permitted in a building elevation facing Brant Street and Lakeshore Road.

#### 4.6 LANDSCAPE AREA AND BUFFER

**Landscape Area:**

- Abutting a creek block or O3 zone: 3 m
- For a parking lot as a principal use: 3 m abutting a street
- Abutting a PC or P zone: 3 m

**Landscape Buffer:**

- Abutting a residential or DRL zone: 3 m

#### 4.7 PARKING

- (a) Parking shall be provided in accordance with Part 1, Subsection 2.25 “Off-Street Parking and Loading Requirements”, except as amended by the following:
  - Apartment Dwelling Units: 1.25 spaces per unit
- (b) Parking is not permitted in a front yard between the street line and the building elevation facing the street.
- (c) Surface parking is not permitted in a DC, DW, DL-A, or DL-B zone; temporary parking for drop-off or delivery excepted.
- (d) Parking of trucks and trailers is prohibited except:
  - when the truck or trailer is being loaded or unloaded
  - when the truck or trailer is for customer use
  - when the truck or trailer belongs to a property owner or tenant
  - when the truck or trailer is being used for charitable purposes

#### 4.8 OUTSIDE STORAGE

- (a) Only merchandise displayed for retail sale may be stored outside, provided the merchandise is not stored in a truck, trailer, or other vehicle.
- (b) Perishable waste must be kept in refrigerated storage within a building. Alternatively, perishable waste may be stored outside if a deep collection waste disposal system, comprised of a sealed container with a lockable lid located primarily below grade, is used.

- (c) Any non-perishable waste stored outside on lands abutting a residential or DRL zone, or where visible from the street, shall be kept within a solid screen enclosure subject to Part 1, Subsection 2.2.2. Waste compactors are not permitted in a yard abutting a residential zone and shall be screened from view from a residential zone and from a street.

#### **4.9 OUTDOOR PATIOS**

- (a) Terrace Patios are not permitted on lands abutting a residential or DRL zone.
- (b) Not permitted within 45 m of a residential or DRM zone.
- (c) Sidewalk Patios are only permitted on Brant Street, Elgin Street, Pine Street, John Street, Elizabeth Street south of James Street, Pearl Street south of James Street, Locust Street south of Ontario Street, James Street between Brant Street and Pearl Street, Lakeshore Road, and Old Lakeshore Road.

#### **4.10 CONTIGUOUS LOTS**

Where multiple contiguous lots are developed under a single comprehensive site plan all lots shall be deemed to be one lot for purposes of applying zoning regulations.

#### **4.11 AMENITY AREA**

For apartment dwelling units and retirement homes: 20 m<sup>2</sup> per unit

#### **4.12 FENCING**

On lands abutting a residential zone or DRL zone, fencing shall be installed along the common boundary with the residential zone and shall have a minimum height of 1.8 m, which may be a solid screen fence or a combination of chain-link fence and landscape planting to form a dense year-round screen.

**Part 14 – Exceptions to Zone Designations**

Exception 433	Zone BC1	Map 25E	Amendment 2020.318	Enacted Sept. 26/12
<p>Yard abutting a street: 6 m minimum 9 m maximum</p> <p>Minimum Lot Area for Block 89, Plan 20M-1035: 0.4 ha</p> <p>Additional Permitted Use:</p> <ul style="list-style-type: none"> <li>- Place of Worship</li> <li>- Emergency Residential Shelters, Day Care Centres, and an attached or detached manse or an accessory dwelling unit for a watchman and any other associated residential buildings are not permitted in conjunction with a Place of Worship</li> </ul> <p>Notwithstanding Part 1, Section 2.21 (d), the following regulations for Places of Worship apply:</p> <ul style="list-style-type: none"> <li>- Minimum setback from any street line: 6 m</li> <li>- Minimum setback from the westerly lot line: 7.5 m</li> <li>- Minimum setback from the northerly lot line: 7.5 m</li> <li>- Minimum setback from the easterly lot line: 15 m</li> <li>- Landscape Area abutting a creek block along the northerly property line: 4 m</li> <li>- Landscape Area abutting a street having a deemed width of 26 m or greater: 6 m</li> </ul> <p>Attached or detached manse or accessory dwelling unit for a watchman and any other associated buildings in conjunction with a Place of Worship are not permitted.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

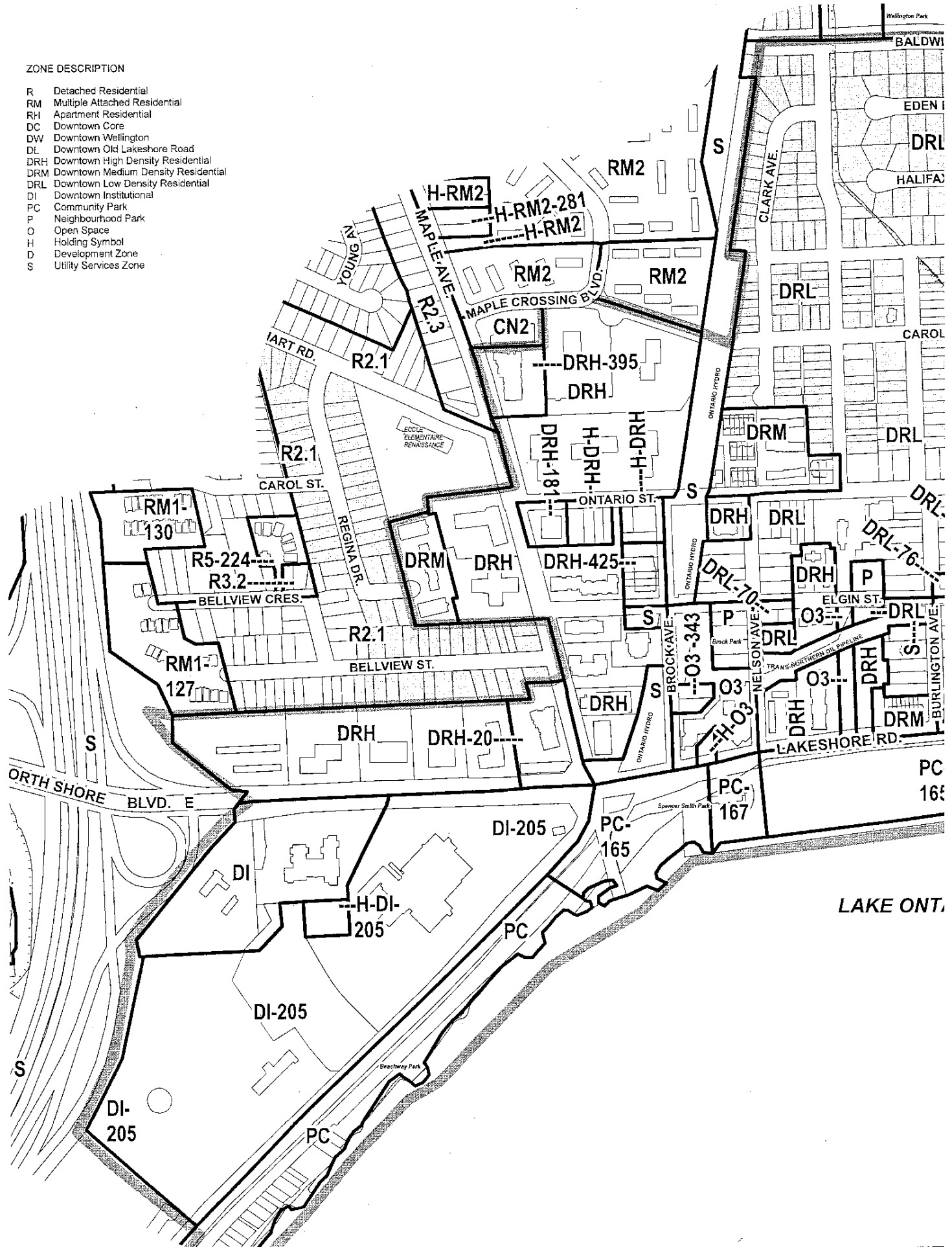
Exception 434	Zone DC	Map 9A	Amendment 2020.205	Enacted April 28/08
<p>1. Regulations for permitted uses:</p> <p style="padding-left: 40px;">Maximum Building Height: 7 storeys and 22 m</p> <p style="padding-left: 40px;">Floor Area Ratio: 4.5:1</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception 435	Zone DC	Map 9A	Amendment 2020.326	Enacted Nov. 26/12
<p>1. <u>Additional Permitted Use:</u> One Fast Food Restaurant with a maximum gross floor area of 270 m<sup>2</sup></p> <p><u>Additional Prohibited Use:</u> Drive-Through Facility</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

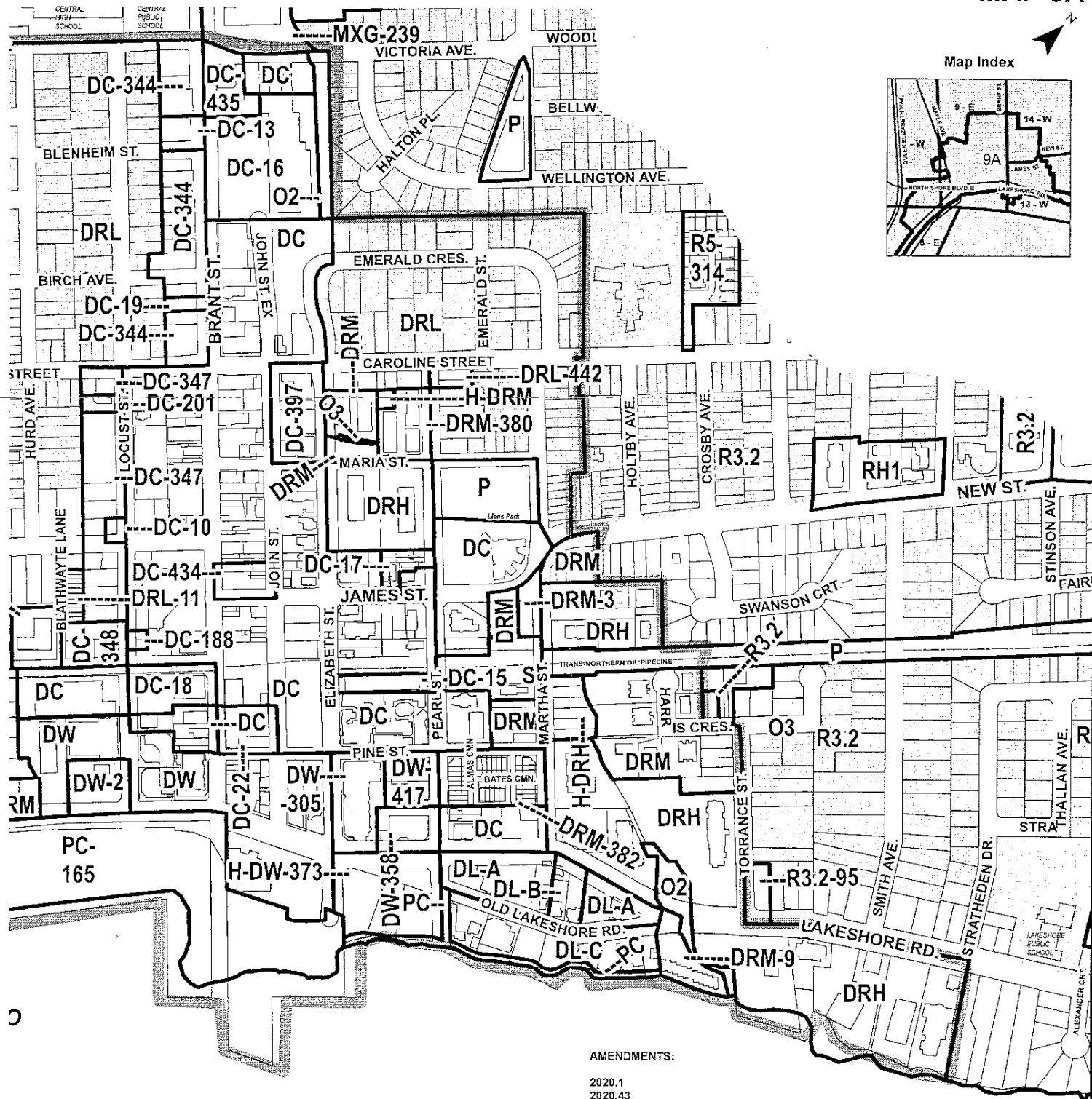
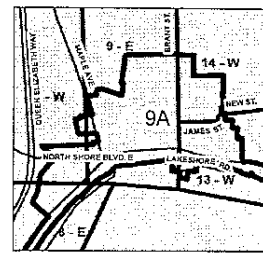
# MAP 9A

## ZONE DESCRIPTION

- R Detached Residential
- RM Multiple Attached Residential
- RH Apartment Residential
- DC Downtown Core
- DW Downtown Wellington
- DL Downtown Old Lakeshore Road
- DRH Downtown High Density Residential
- DRM Downtown Medium Density Residential
- DRL Downtown Low Density Residential
- DI Downtown Institutional
- PC Community Park
- P Neighbourhood Park
- O Open Space
- H Holding Symbol
- D Development Zone
- S Utility Services Zone



Map Index



**AMENDMENTS:**

- 2020.1
- 2020.43
- 2020.123
- 2020.150
- 2020.160
- 2020.204
- 2020.280
- 2020.233
- 2020.205
- 2020.242
- 2020.205
- 2020.256
- 2020.259
- 2020.223
- 2020.287
- 2020.304
- PL080169
- 2020.314
- 2020.322
- 2020.326
- 2020.317
- 2020.330
- 2020.331

- Maximum 35% Lot Coverage for 1 Storey Dwellings and 25% Lot Coverage for all other Dwellings
- Downtown Area
- Major Creeks

**WARNING!**  
 The information contained herein is compiled from other documentation and may contain errors, omission or inaccuracies. The City of Burlington, its officers, employees and agents are not responsible for, and the users by accepting this document hereby waive as against the said City, its officers, employees, agents, any claim for damages arising from or in any way related to any errors, omissions, misrepresentation or inaccuracies contained in the document whether due to negligence or otherwise. Any user is advised to verify all information and assume all risk in relying on the information contained herein.

SCALE: 1:6000  
 10/20/2015

