**BY-LAW NUMBER 2020.XXX, SCHEDULE 'A'**

**THE CORPORATION OF THE CITY OF BURLINGTON**

**BY-LAW NUMBER 2020.XXX**

A By-law to amend By-law 2020, as amended; for 2020 Lakeshore Road
File No.'s: 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-_____ on _____, 2021 to amend the Zoning By-law 2020, as amended, to permit a mixed-use residential and commercial development in a two tower format of 30 and 35 storeys, including a 5 to 6-storey podium, consisting of 557 residential units, commercial, office and hotel uses on the street level and within the podium.

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

1. Zoning Map Number XX to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from "DW" to "DW-XXX".

3. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception XXX as follows:

Exception No. _____

1. Notwithstanding the regulations of the DW Zone and other general provisions to the contrary, the following provisions apply:

    a) Notwithstanding, Part 1, Section 2.27 – Table 1.2.9, the deemed width of Lakeshore Road shall be 24 metres.

    b) Notwithstanding Part 1, Section 2.5.1, in-ground and above-ground pools shall be set back 3 metres from a lot line or street line, measured from the inside wall of the pool.

c) Notwithstanding Part 6, Section 2A, Table 6.2.1, footnote (g), permitted uses on the ground floor shall include retail, service commercial, office uses, hotel lobby and residential lobby.

d) Maximum building height of 35 storeys and 119.3 metres

e) Maximum floor area ratio of 7.76:1

f) Minimum Front Yard Setback from Elizabeth Street of 2.0 metres

g) Minimum Exterior Side Yard Setback from Lakeshore Road of 4.9 metres

h) Minimum setback from the hypotenuse of a visibility triangle is 0 metres

i) Minimum Interior Side Yard Setback of 2.0 m

j) Minimum Rear Yard Setback of 2.0 m

k) Maximum Lot Coverage of 67%

l) Minimum parking ratio of 1.074 spaces per residential dwelling unit, which is inclusive of parking to be shared between the mixed-use non-residential uses and visitor parking.

m) Minimum of 41 parking spaces to be utilized for visitor and mixed-use non-residential uses.

n) Minimum of 165 bicycle parking spaces

o) Visibility Triangle is not required

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

4. 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.

5. 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 Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this _____day of, _____2021.

_____MAYOR

_____CITY CLERK