THE CORPORATION OF THE CITY OF BURLINGTON

DRAFT BY-LAW NUMBER 2024.XXX, Schedule 'A' AND EXPLANITARY NOTE

A By-law to amend By-law 2020, as amended; for 2030 Caroline Street, to facilitate the development of a 28 Storey mixed-use building and a 6 Storey Above-Grade Parking Garage
File No.: XXX-XX/24 and XXX-XX/24

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 _____, 2024 to amend the Zoning By-law 2020, as amended, to permit a mixed-use building**.**

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

1. Zoning Map Number 9A-E to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands on Schedule "A" attached hereto are hereby rezoned from "DC-397" to "DC-XXX".

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

Exception XXX	**Zone DC**	**Map 9A-E**	**Amendment 2024.XXX**	**Enacted XXXXXXX**
a) Regulations for an Apartment Building				
Notwithstanding Part 6, Section 2A, Table 6.2.1, footnote (g), permitted uses on the ground floor of an apartment building shall include, residential, retail, service commercial, all office uses, bicycle parking facilities and residential units shall be permitted at grade along Caroline and Elizabeth Streets. Underground parking, including vehicular access, for 2025 Maria Street shall also be permitted.				
Notwithstanding Part 6, Section 4.1, Table 6.4.1, the maximum yards abutting a street are not required.				
b) Non-residential floor area for retail, service commercial and/or office uses.				300 sq. m.

c) Yard Abutting Caroline Street: i) Below Grade ii) Ground Floor, Floor 2 and Floor 3 iii) Floor 4 - 27 iv) Rooftop Mechanical	 0 m 02.0 m 5.0 m 5.0m
d) Yard Abutting John Street i) Below Grade ii) Above-Grade Garage iii) Ground Floor iv) Floors 2 – 6 (apartment building) v) Floor 7 vi) Floor 8 vii) Floors 9 – 27 viii) Rooftop Mechanical and Elevator Shaft	 0m 0m 0m 0m 3.0m 10.5m 3.0m 3.0m
e) Yard Abutting Elizabeth Street i) Below-Grade ii) Above-Grade Garage iii) Ground Floor, Floor 2 and Floor 3 iv) Floor 4 – 27 v) Rooftop Mechanical and Elevator Shaft	 0m 0m 0m 3.0m 3.0m
f) Yard Abutting 2025 Maria Street i) Above-Grade Garage ii) Floor 7 Indoor Amenity Space iii) Floor 8 iv) Floors 9 – 27 v) Rooftop Mechanical and Elevator Shaft	 0m 26.5m 38.5m 40m 48m
g) Maximum Building Height (Apartment Building):	28 storeys and 100 m
h) Maximum Building Height (Above-Grade Parking Garage)	6 storeys and 21m
i) Maximum Density:	10.0:1 Floor Area Ratio
j) Amenity Area:	19.0 m² per unit
k) Parking for Apartment Dwelling Units: i) Occupant parking rate: ii) Visitor/public parking rate:	 0.83 spaces per unit 0.03 spaces per unit
l) An overhead door is permitted on the building elevation facing John Street and Elizabeth Street.	

m) Bicycle Parking space dimensions:
   a. Vertical Space: 0.6 m x 1.2 m
   b. Stackable Space: 0.46 m x 1.8 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

1. 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.

2. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, 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.