THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

By-law to amend By-law 2020, as amended for 2076 Old Lakeshore Road to facilitate the development of a 23-storey mixed use building with hotel and residential units.
File Nos.: 505-XX/25 & 520-XX/25

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 XXXX on _____ XX, 202X, to amend the City's existing Zoning By-law 2020, as amended, to permit a 23-storey mixed use building consisting of 50 residential units and 154 hotel suites;

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

1. Zoning Map Number 13 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 as "A" on Schedule "A" attached hereto are hereby rezoned from DL-C (Downtown Old Lakeshore Road) zone to the DL-C-XXX (Downtown Old Lakeshore Road) zone with site specific regulations.

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception XXX with the following:

    a) Notwithstanding the regulations of the DL-C Zone and other general provisions to the contrary, the following provisions apply:

Exception XXX	**Zone DL-C**	**Map XXX**	**Amendment 2020.XXX**	**Enacted ____ XX, 202X**
1. Regulations for an Apartment Building				
a) Notwithstanding Part 6, Section 2A, Table 6.2.1, footnote (g), permitted uses on the ground floor of a building shall include hotel, residential lobbies, retail, service commercial, and all office uses.				
b) Notwithstanding Part 6, Section 4.1, Table 6.4.1, maximum yards abutting a street are not required.				
c) Yard Abutting Old Lakeshore Road: (i) Floor 1: (ii) Floors 2 to 3:			0 m to column, 2 m to building wall 0 m	

(iii) Floors 4 to 22: (iii) Floor 23 and Mechanical Penthouse:	3 m 4.9 m
d) West Side Yard: (i) Floor 1: (iv) Floors 2 to 3: (ii) Floors 4 to 22: (iii) Floor 23 and Mechanical Penthouse:	 0 m to column, 2 m to building wall 0 m 0 m 5 m
e) East Side Yard: (v) Floors 1 to 3: (ii) Floors 4 to 22: (iii) Floor 23 and Mechanical Penthouse:	 0 m 5.5 m 5.5 m
f) Rear Yard: (vi) Floors 2 to 3: (i) Floors 4 to 22: (ii) Floor 23 and Mechanical Penthouse:	 15 m 15 m 16.8 m
g) Above Grade and Below Grade Parking Structures: (i) Setback for below grade parking structures abutting all lot lines and/or street lines:	 0 m
h) Maximum Building Height:	23 storeys excluding mezzanine; and 75 m from Fixed Grade, excluding the mechanical penthouse
i) Minimum Height of First Storey:	3 metres
j) Minimum Height of Second Storey:	2.5 metres
k) Minimum Second Floor Area:	50 m^2
l) Maximum Floor Area Ratio:	9.0:1
m) Parking for Apartment Dwelling Units:	1.0 space per unit
n) Parking spaces may be accessed via a parking stacker. Parking stackers may have a reduced parking stall size of 2.5 x 5.5 metres.	
o) Parking areas may be accessed via a vehicle elevator, accessed via a minimum 6 metre long driveway from the street with a minimum interior dimension of 2.5 x 5.5 metres.	
p) Bicycle Parking: (i) Short-Term (ii) Long-Term	 0.05 spaces per unit 0.5 spaces per unit

q) Bicycle Parking space size: (i) Vertical space: (ii) Stackable space:	 0.6 m x 1.2 m 0.6 m x 1.8 m
r) For the purposes of Bicycle parking regulations: (i) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony or in a storage locker. (ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements where feasible.	
s) The first floor elevation of any building facing a street shall have a minimum of 50% glazing.	
t) A mezzanine level above the ground floor not exceeding 200 m^2 shall not be counted as a storey for the purposes of calculating maximum building height or building yards.	

Except as amended herein, all other provisions of the By-law and the DL-C zone, 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.

ENACTED AND PASSED this XXth day of _____ 202X

_____
MAYOR

_____
CITY CLERK