DRAFT
SEPTEMBER 2024

THE CORPORTATION OF THE CITY OF BURLINGTON

BY-LAW 2024.####

A By-law to amend By-law 2020, as amended, for 141, 147, and 153 Plains Road West, for the purposes of facilitating the development of a mid-rise mixed-use building

File No.: ### (PL ###)

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 PL###, on *DATE,* to permit a mixed-use building consisting of 150 apartment dwelling units, intended for rental tenure, and approximately 181 square metres of retail space.

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 as "A" on Schedule "A" attached hereto are hereby rezoned from MXG to MXG - ###

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

Exception ###	Zone MXG	Map 9	Amendment 2024.###	Enacted DATE

1. Regulations for Apartment Building

a) Maximum Floor Area Ratio for Other Buildings: 5:1

b) Building Height Other uses: 11 storeys maximum, not including mechanical penthouse, or enclosures provided access to a rooftop or outdoor amenity space, or containing indoor amenity space

c) For the purposes of this By-law, Building Height shall be measured from a Canadian Geodetic Datum of 102.79 metres.

d) The vertical clearance of a parking space may be obstructed by such facilities intended to be used for a suspended bicycle parking space for the exclusive use of the owner/tenant of said parking space.

e) Notwithstanding the provisions of Section 2.13(a), an ornamental projection may be permitted to encroach to a maximum of 1.9 metres into the front yard

f) Notwithstanding the provisions of Section 2.13.1(c), a balcony may be permitted to encroach to a maximum of 1.9 metres into the front yard, provided that the sum of the length of any balcony is not wider than the building wall.

g) An intake/exhaust shaft associated with the ventilation of an underground parking garage shall be permitted to encroach into any yard provided it is set back a minimum of
   i. 3.5 metres from a front lot line
   ii. 0.5 metres from a side lot line,
   iii. 0.0 metres from a rear lot line, and
   iv. Is screened by landscaping

h) A stormwater management tank may be located within the front yard provided it does not project above ground

i) A minimum parking supply of 110 spaces shall be provided

Except as amended herein, all other provisions of this By-law, as amended, 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;

   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 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 _____ 2024.

Mayor Marianne Meed Ward _____

City Clerk Kevin Arjoon _____

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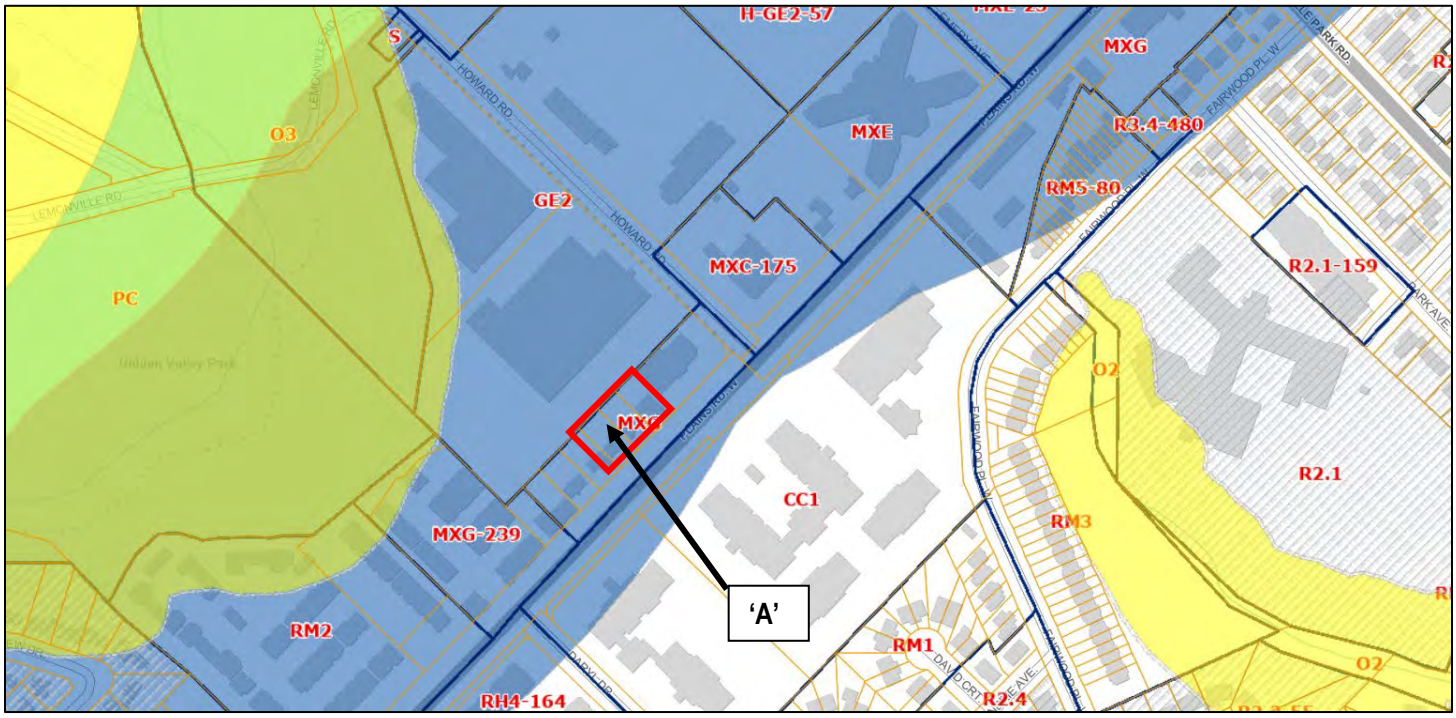
Explanation of Purpose and Effect of By-Law 2024.###

By-law 2024.### implements a site-specific exception for the lands municipally known in 2024 as 141, 147, and 153 Plains Road West in order to permit an 11-storey mixed-use building (not including mechanical Penthouse, rooftop access, or common amenity area on the rooftop), containing 150 apartment dwelling units, 181 square metres (+/-1,948 square feet) of non-residential floor area at grade, and a gross building floor area of approximately 9,675 square metres (+/-104,141 square feet).

For further information regarding By-law 2020.511, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7788.

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Schedule 'A' to By-law 2024.###



AREA 'A' – Area 'A' to be rezoned from MXG to MXG - ###

SCHEUDLE 'A' TO BY-LAW 2024.### AMENDING MAP NO, 3 PART 15, BY-LAW 2020 AS AMENDED.

PASSED THE _____ DAY OF _____

_____ _____

MAYOR CITY CLERK