Part 2: Establishment of Zones and Uses

2.1 Zone Designations

This By-law establishes the following residential **zones** and places all lands subject to this By-law in one or more of the following **zones**:

Low-Rise Neighbourhood 1 (LN1)
Low-Rise Neighbourhood 2 (LN2)
Low-Rise Neighbourhood 3 (LN3)
Low-Rise Neighbourhood 4 (LN4)
Low-Rise Neighbourhood 5 (LN5)
Low-Rise Neighbourhood 6 (LN6)
Low-Rise Neighbourhood 7 (LN7)
Low-Rise Neighbourhood 8 (LN8)
High-Rise Neighbourhood (HN)

2.2 Zoning Exceptions

a) Where a **zone** symbol shown on Schedule A contains a hyphen followed by a number, the number represents a site-specific exception that applies to the lands noted.

b) The regulations of the site-specific exceptions are included in Part 9 of this By-law.

c) The regulations of the site-specific exception supersede any inconsistent regulations in the remainder of this By-law.

2.3 Zone Boundaries

When determining the boundary of any **zone** as shown on Schedule A, the following regulations apply:

a) Where a **zone** boundary is shown following a **street**, **lane**, unopened road allowance; railway right-of-way; or **utility** corridor, the centreline of such **street**, **lane**, unopened road allowance, railway right-of-way or **utility** corridor is the boundary and the **zone** designations shall be deemed not to be **abutting**;

b) Where a **zone** boundary is shown as running substantially parallel to a **street** or **lane**, and the distance from the **street** or **lane** is not indicated, the distance shall be determined by the scale of the zoning map measured from the limit of the **street** or **lane**;

c) Where a **zone** boundary is shown as substantially following **lot lines**, the **zone** boundary follows such **lot lines**;

d) Where a **zone** boundary is shown following a **watercourse**, the **zone** boundary shall be the greater of the stable top-of-bank, meander belt, or **floodplain** of the **watercourse**, plus a 6 metre erosion access allowance as determined by Conservation Halton;

e) Where a **zone** boundary is shown as following **floodplain** hazard limits established by Conservation Halton, the **zone** boundary shall be the **floodplain** hazard limits plus a 6 metre access allowance as determined by Conservation Halton;

f) Where a **zone** boundary is shown following a **natural heritage feature or area**, or other key feature including buffers or other wetlands, the boundary shall be determined by the scale of the zoning map. Where features on the ground are at variance with the zoning maps, the actual location on the ground shall govern;

g) Where none of the above applies, the **zone** boundary shall be scaled from the Schedule(s); and

h) The determination of the boundaries of Niagara Escarpment Development Control is administratively the responsibility of the Niagara Escarpment Commission in accordance with regulations passed under the *Niagara Escarpment Planning and Development Act.*

2.4 Zone Maps

The **zones** and **zone** boundaries are shown on the Zoning Maps, which are attached as Schedule A and form Part 10 of this By-law.

2.5 Multiple Zones on One Lot

a) Where a **lot** falls into two or more **zones**, the **use** permissions and regulations for the applicable **zone** shall apply to that portion of the **lot**. Except, in cases where a **building** or **structure** is located on two or more **zones**, the more restrictive regulations shall apply to the entire **building**.

b) Notwithstanding a) above, **parking spaces**, **driveways**, aisles and stacking spaces required by this By-law may be provided anywhere on a **lot** that falls into two or more **zones** except that portion of a **lot** in any Open Space Zone of the City of Burlington Zoning By-law 2020.

c) A **zone** boundary dividing a **lot** into two or more **zones** is not a **lot line** for the purposes of this By-law.

d) Notwithstanding c) above, where two or more **zones** apply to a **lot** and one of the **zones** is an Open Space Zone of the City of Burlington Zoning By-law 2020, the boundary between the Open Space Zone and the other **zone**(s) is considered a **lot line** for the purposes of **yards**, **setbacks** and **lot coverage** requirements.

2.6 Holding Provisions

a) Where a **zone** symbol shown on Schedule A has a prefix with the letter (H) and a number within a set of brackets, the lands affected are subject to a holding provision in accordance with Section 36 of the *Planning Act*.

b) Part 8 of this By-law contains general requirements for lands subject to a holding provision as well as the conditions that must be satisfied prior to the removal of the (H) symbol and any permitted interim **uses**.

Establishment of Zones and Uses