APPENDIX C: Draft Zoning By-law

BY-LAW NUMBER 2020.XXX, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

A By-law to amend By-law 2020, as amended; 484 Plains Road East
File No.: XXXX

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 PL-XX-XX on _____, 2024 to amend the City's existing Zoning By-law 2020, as amended, to allow the redevelopment of the lands for a mixed use development consisting of a mixed use buildings and stacked townhouse units.

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

1. Zoning Map Number 5-W and 5-E 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 the MXG-504 zone (Mixed-Use Corridor) to MXG-XXX (Mixed-Use Corridor) zone.

3. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#XX	MXG- 504	Map 5-W and 5-E	Resolution:

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by repealing and replacing Exception MXG-XXX with the following:

Exception	Zone	Map	Amendment	Enacted
XXX	MXG-XXX	5-W & 5-E	2020.XXX	XXX

1. Permitted Uses

a) Only the following uses shall be permitted:

i) Apartment Building with Retail and Servicing Commercial and Office uses permitted on Ground Floor

ii) Stacked Townhouse

2. Regulations for Apartment Buildings:

a) Maximum Number of Units	319
b) Yard Abutting a Street:	
i. Balconies:	2.9 m
ii. Floor 9 (Rooftop Amenity and Mechanical Penthouse):	10 m
c) Yard Abutting a Residential Zone:	
i. East Side	
Floors 1-8	10.8m, 10.2 m to balconies
Floor 9 (Rooftop Amenity and Mechanical Penthouse):	17.2 m
ii. West Side:	
Floors 1-8	11.6 m, 11 m to balconies
Floor 9 (Rooftop Amenity and Mechanical Penthouse):	17.5 m
iii. South Side:	
Floors 1-6:	13.2 m including balconies
Floors 7-8:	21 m, 18 m to terrace, 13.4 m to balconies
Floor 9 (Rooftop Amenity and Mechanical Penthouse):	35m
d) Maximum Height	8 storeys up to 27.5 m
Rooftop Amenity and Mechanical Penthouse:	6.6 m
e) Maximum Rooftop Amenity excluding Mechanical Penthouse	500 m^2

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Exception XXX continued	Zone MXG-XXX	Map 5-W & 5-E	Amendment 2020.XXX	Enacted XXX

f) Occupant Parking:	1 space/unit
g) Visitor Parking:	0.25 spaces/unit
h) Non-Residential Parking:	3.5 spaces/100m^2 of Gross Floor Area at grade only (can be shared with visitor Parking including designated Accessible spaces)
i) Maximum Floor Area for all Non-Residential Uses	1000 m^2

3. Regulations for Stacked Townhouses:

a) Yard Abutting a Residential Zone:	11.9 m including rooftop amenity and balconies
b) Maximum Number of Units:	110
c) Maximum Height: Rooftop Amenity	3 storeys up to 10 m 2.7 m

d) Privacy Area:
   i. Privacy areas for ground level units are permitted to have privacy screens on two sides only; with the opening on the side opposite the building.
   ii. Rooftop privacy areas permitted to have glass screens or railings with a minimum height of 1 m along exterior walls of building.

e) Parking:
   i. Occupant: 1 space/unit
   ii. Visitor: 0.2 spaces/unit
   iii. Loading: None Required

Notwithstanding Part 16, Definitions, Stacked Townhouse, a stacked townhouse building is permitted to contain 24 residential units and access to second or upper level units may be from interior or exterior stairways

4. Regulations Applicable to Entire Site:

a) Floor Area Ratio	1:87:1 Maximum
b) Landscape Area Abutting a Street	1 m Transformers, walkways and Street furniture may encroach.
c) Landscape Buffers:	Transformers, underground stormwater tanks and vents may encroach.

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d) Setback from street for below grade parking:	1 m
e) Amenity Area:	25 m^2 per unit
f) Setback from Driveway or Parking Lot/Parking Space to Windo of Habitable Room:	2 m
g) Setback from Ramp and Loading Space to Window of Habitable Room:	0 m

h) Carshare space may be included in required parking calculation.

i) For the purposes of applying zoning regulations the property zoned MXG-XXX shall be considered one lot.

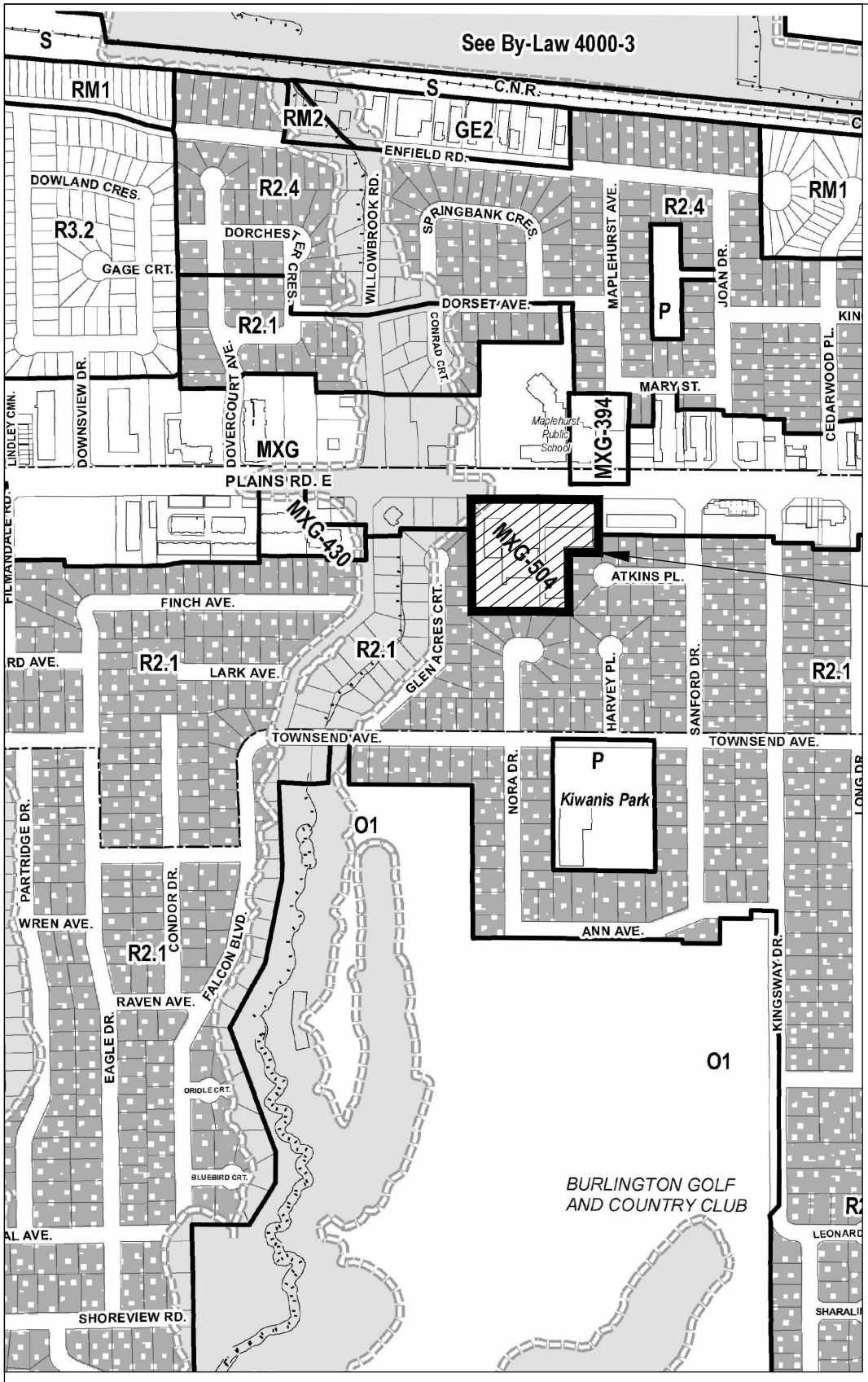
5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

5 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

_____CITY CLERK



AREA 'A'

To be rezoned from
'MXG-504'
to
'MXG-XXX'

'A'

MAYOR

CLERK