The Corporation of the City of Burlington

By-Law Number 10-2019

An Interim Control By-law for The Corporation of the City of Burlington under Section 38 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended
(PB-36-19)

Whereas Section 38 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, authorizes the council of a municipality to pass an interim control by-law where the council has directed that a review or study be undertaken in respect of land use planning policies in the municipality, or in any defined area or areas thereof; and

Whereas on March 5, 2019, the Council of the Corporation of the City of Burlington passed the following resolution:

That report PB-36-19 from the Department of City Building dated March 5, 2019 be adopted; and

That Council initiate a land used study (the "Study") that will:

1. Assess the role and function of the downtown bus terminal and the Burlington GO Station as Major Transit Station Areas, including assessing the existing and long range planned transit service for the Study Area and the connections between the two respective MTSAs; and

2. Examine the planning structure, land use mix, and intensity for the lands identified on Schedule 'A' of Appendix A; and

3. Update the Official Plan and Zoning By-law regulations, as needed, for the lands identified on Schedule 'A' of Appendix A; and

That Council delegate authority to the City Manager in conjunction with the Director of Finance, the ability to single source or sole source work for this initiative that may exceed $100,000 allowing staff to begin the Study expeditiously; and

That Interim Control By-law Number 10-2019 as attached to report PB-36-19 be passed to restrict the use of lands within the Study Area as shown on Appendix A and Schedule A thereto, to the existing uses for a period of one year pending the completion of the Study to:

1. Assess the role and function of the downtown bus terminal and the Burlington GO Station as Major Transit Station Areas, including assessing the existing and long range planned transit service for the

Study Area and the connections between the two respective MTSAs; and

2. Examine the planning structure, land use mix, and intensity for the lands identified on Schedule ‘A’ of Appendix A; and

3. Update the Official Plan and Zoning By-law regulations, as needed, for the lands identified on Schedule ‘A’ of Appendix A; and

Whereas Council has deemed it necessary and expedient to pass this interim control by-law to provide the City with time to undertake a land use study for the lands identified on Schedule ‘A’ of this by-law; and

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

An interim control by-law be placed on lands identified on Schedule ‘A’ of this by-law until a land use study is completed; and

It is hereby directed that a land use study be completed to:

1. Assess the role and function of the downtown bus terminal and the Burlington GO Station as Major Transit Station Areas, including assessing the existing and long range planned transit service for the Study Area and the connections between the two respective MTSAs; and

2. Examine the planning structure, land use mix, and intensity for the lands identified on Schedule ‘A’ of Appendix A; and

3. Update the Official Plan and Zoning By-law regulations, as needed, for the lands identified on Schedule ‘A’ of Appendix A; and

Delegate authority to the City Manager in conjunction with the Director of Finance, the ability to single source or sole source work for this initiative that may exceed $100,000, allowing staff to begin the Study expeditiously; and

Notwithstanding any other by-law to the contrary, no person shall, for the lands identified on Schedule ‘A’ attached hereto:

a) use any land, building or structure for any purpose whatsoever except for a use that lawfully existed on the date of the passage of this By-law as long as it continues to be used for such purpose; or

b) be permitted to construct, alter or expand any building or structure, save and except where such construction, alteration or expansion is an outcome of a

site plan application currently in process on the date of the passage of this By-law that is fully in accordance with the approved zoning bylaw. Site plan applications received for lands within the study areas include: 374 Martha Street, 490-492 Brock Avenue, 421 Brant Street, and 442 Pearl Street.

This by-law shall come into force and take effect immediately upon its passing by Council and shall be in effect for a period of one year from the date of passage of this By-law, or until such time that the Study is completed to the satisfaction of the City Council, unless this By-law is otherwise extended in accordance with the provision of the *Planning Act,* R.S.O., 1990, c.P.13, as amended; and

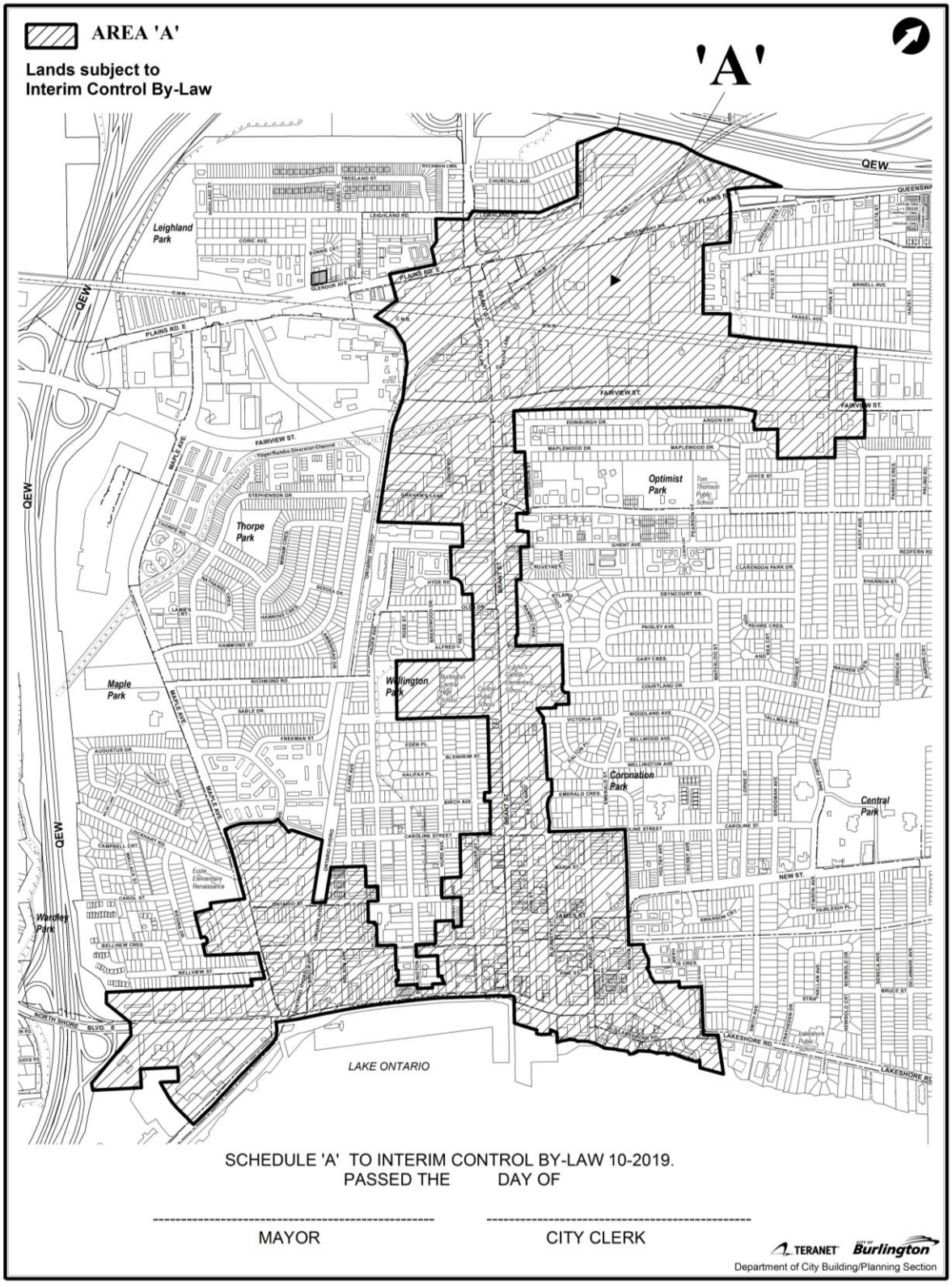
The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act,* R.S.O., 1990, c.P.13, as amended.

Enacted and passed this 5th day of March 2019

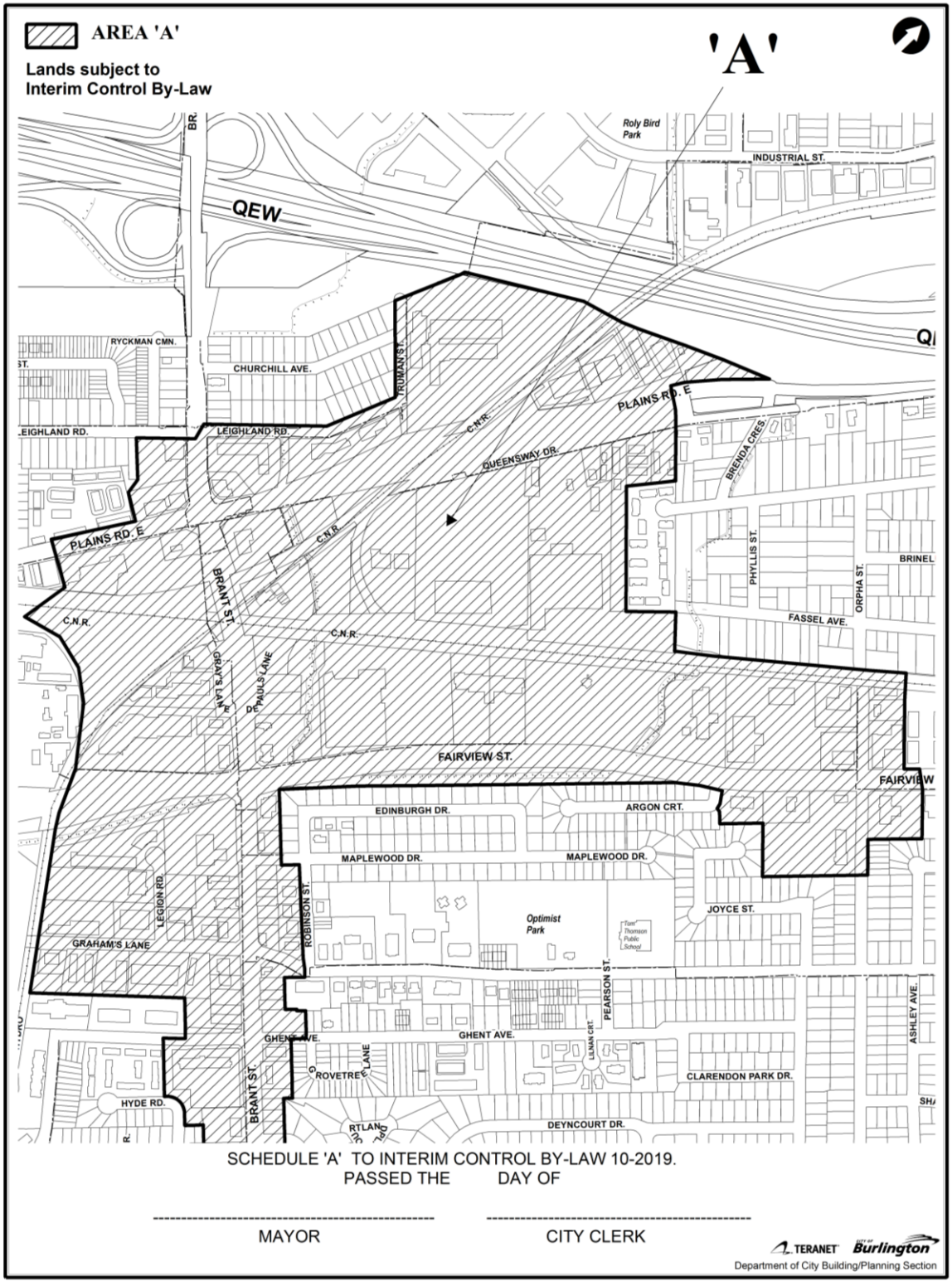
Mayor Marianne Meed Ward _____

Deputy Clerk Jo-Anne Rudy _____

Schedule ‘A’ to By-law 10-2019
Study Area



Study Area (Zoom View A)



Study Area (Zoom View B)

