APPENDIX XX –

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

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.384

A By-law to amend By-law 2020, as amended; for 35 Plains Road East, File No.: 520-xx/xx

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 PB-XXXXXX on click here and enter date of approval, to amend the City's existing Zoning By-law 2020, as amended, to permit a 12-storey mixed use building with a total of 161 residential units and approximately 458.86 m² of commercial/retail floor area use for the lands located at 35 Plain Road East, Burlington;

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

1. Zoning Map Number 3-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 Mixed-Use Corridor - Commercial (MXC-470) to Mixed-Use Corridor - Commercial (MXC-XXX).

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended as follows:

   Delete Exception 470

   Replacing it with Exception XXX as follows:

   Past Exceptions for zone Designations:

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Exception 470	Zone MXC-470	Map 3	Amendment 2020.384	Enacted (date)

1. Regulations for an Apartment Building:

(a) Yard abutting Plains Road East	(i)	1st storey: 3.5 m maximum Other storeys: 1.8m
	(ii)	Balconies may not encroach into a yard abutting Plains Road East
	(iii)	
(b) Yard abutting Cooke Boulevard:	(i)	1st storey: 3.5 m maximum Other storeys: 1.3 m
	(ii)	Balconies are permitted within a yard abutting Cooke Boulevard
	(iii)	
(c) Balcony setbacks abutting Cooke Boulevard:	(i)	2nd storey: 1.3m
	(ii)	3rd to 8th storeys: 0.5m
(d) Distance from the hypotenuse of a daylight triangle for a building or balcony:		0 m
(e) Underground parking garage setbacks:	(i)	Abutting Cooke Boulevard: 0 m
	(ii)	Abutting all other lot lines: 0.2 m
(f) Number of units:		72 units maximum
(g) Floor area ratio:		4.4:1 maximum
(h) Commercial floor area:		A minimum of 220 m² of retail or service commercial must be provided on the ground floor of an apartment building.
(i) 9th storey:		In addition to an outdoor amenity area, a maximum of 275 m² of floor area may be used for an indoor amenity area, elevator lobby, stairs, mechanical and/or storage rooms.
(j) Landscape area abutting a street:		0 m

(k) Building height:	9 storeys to 34 m maximum
(l) Building height first storey:	6 m
(m) Occupant parking spaces:	86 spaces including 4 accessible spaces.
(n) Visitor and non-residential parking spaces:	6 shared spaces including 2 accessible spaces.
(o) Amenity Area	1240 m²

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

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Proposed Exceptions for Zone Designations:

Exception XXX	Zone MXC-XXX	Map 3	Amendment 2020.???	Enacted (date)

1. Regulations for an Apartment Building:

(c) Yard abutting Plains Road East	(i)	1st storey: 3.5 m maximum
	(ii)	Other storeys: 1.8 m
	(iii)	Balconies may not encroach into a yard abutting Plains Road East
(d) Yard abutting Cooke Boulevard:	(i)	1st storey: 3.5 m maximum
	(ii)	Other storeys: 1.3 m
	(iii)	~~Balconies are permitted within a yard abutting Cooke Boulevard~~
(c) Balcony setbacks abutting Cooke Boulevard:	(i)	2nd storey: 1.3 m
	(ii)	3rd to 12th storeys: 1.3 m
(d) Distance from the hypotenuse of a daylight triangle for a building or balcony:		0 m
(e) Underground parking garage setbacks:	(i) (ii) (iii)	Abutting Cooke Boulevard: 0.25 m Abutting Plains Road East: 0.45 m Abutting all other lot lines: 0.45 m
(f) Number of units:		161 units maximum
(g) Floor area ratio:		6.8:1 maximum
(h) Commercial floor area:		A minimum of 452 m² of retail or service commercial must be provided on the ground floor of an apartment building.
(i) Rooftop:		In addition to an outdoor amenity area, a maximum of 290 m² of floor area may be used for an indoor amenity area, elevator lobby, stairs, mechanical and/or storage rooms.
(j) Landscape area abutting a street:		0 m

(k) Building height:	12 storeys to 42.5 m maximum
(l) Building height first storey:	6 m
(m) Occupant parking spaces:	110 spaces including 4 accessible spaces.
(n) Visitor and non-residential parking spaces:	6 shared spaces including 1 accessible space and 2 car share spaces.
(o) Amenity Area	1556.02 m²

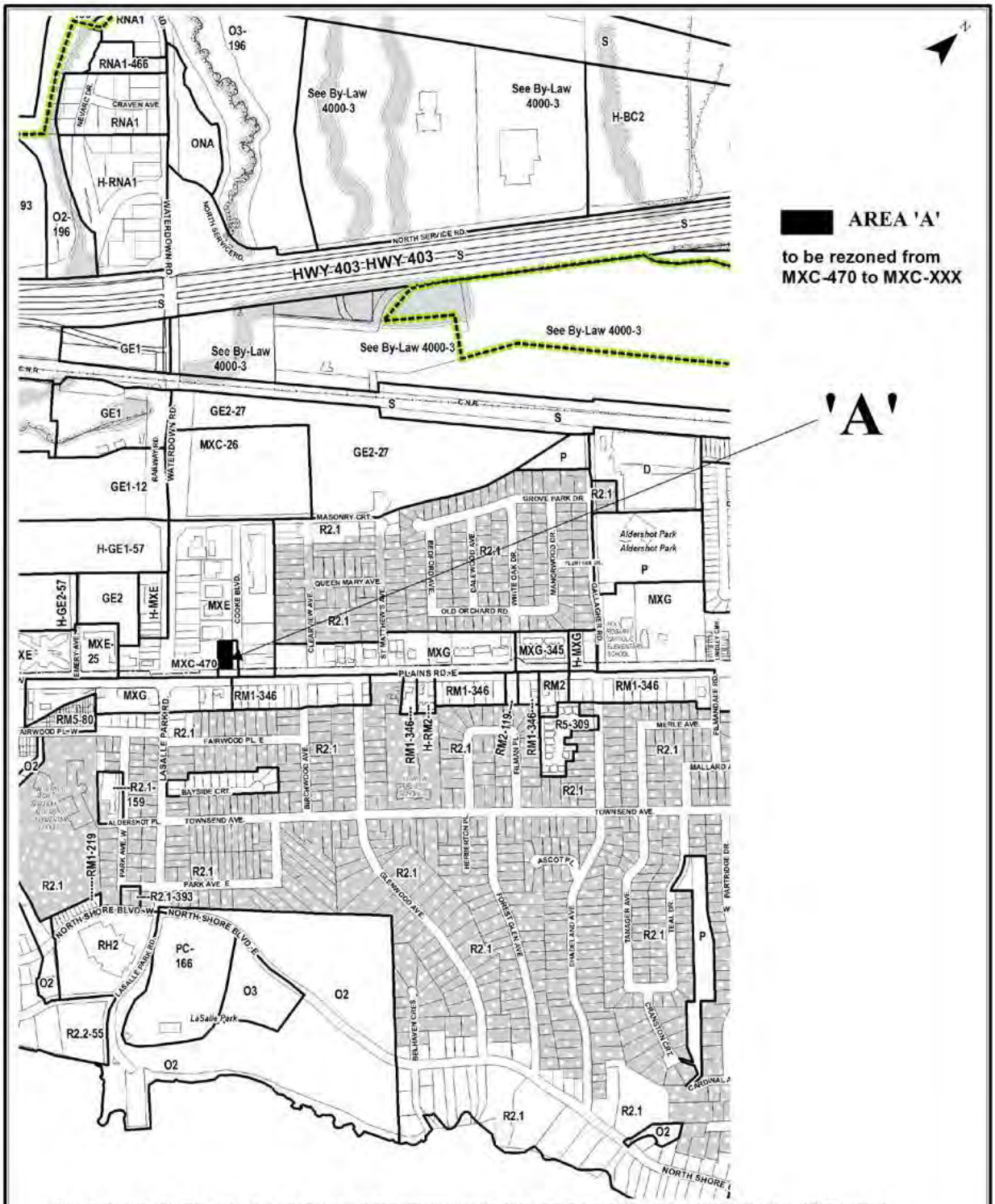
Except as amended herein, all other provisions of this By-law, as amended, shall apply.

ENACTED AND PASSED this ……..day of …… 202 .

_____MAYOR

_____CITY CLERK

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SCHEDULE 'A' TO BY-LAW 2020.xxx AMENDING MAP NO. 3E PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE DAY OF

MAYOR

CITY CLERK

City of Burlington
Planning and Building Department

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.XX

By-law 2020.XX rezones' lands on 35 Plains Road East to permit the development of a twelve storey building with 161 residential units and commercial uses on the street level..

For further information regarding By-law 2020.XX, please contact Thomas Douglas of the Burlington Community Planning Department at (905) 335-7600, extension 7811.

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