THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER 2020.xxx

A By-law to amend By-law 2020, as amended; Millcroft Greens Corporation
City File Nos.: 505-07/20; 520-07/20; 510-02/20 (24T-20002/B)

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-20 on _____, 2022 to amend the Zoning By-law 2020, as amended, to permit 90 single detached dwellings on four (4) parcels of land, and multi-family residential on one (1) parcel at 4252 Dundas Street.

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

1. Zoning Map Number 24 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedules “A”, “B” and “C” attached to this By-law.

2. The lands shown as “Area A” on Schedule “B” attached hereto are hereby rezoned from O1 to R2.3(1)-xxx, R2.3(3), R3.2(1)-xxx and R3.2(2)-xxx.

3. The lands shown as “Area B” on Schedule “B” attached hereto are hereby rezoned from O1 to R2.3(2)-xxx, R2.3(3)-xxx, R3.2(1)-xxx, R3.2(2)-xxx and R3.2(3)-xxx.

4. The lands shown as “Area C” on Schedule “C” attached hereto are hereby rezoned from O1 to R2.3(1)-xxx, R2.3(3)-xxx, R3.2(1)-xxx, R3.2(2)-xxx and R3.2(3)-xxx .

5. The lands shown as “Area D” on Schedules “C” attached hereto are hereby rezoned from O1 to R2.3(3)-xxx and R3.2(2)-xxx.

6. The lands shown as “Area E” on Schedule “A” attached hereto are hereby rezoned from O1 to RM3-xxx.

7. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by including Exceptions xxx and xxx as follows:

Exception xxx (Areas A-D)	Zone R3.2	Map 24	Amendment 2020.xxx	Enacted
1. <u>Regulations for Detached Dwellings on a Private Condominium Road (Areas A-D):</u> <u>R3.2(1)-xxx (15.24m x 28.0m)</u> a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling b) Minimum Driveway length: 6.7 m c) Rear Yard measured from an O1 Zone: i) One storey: 4.5 m				

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ii) One and one-half storey: 6.0 m
iii) Two storeys: 7.5 m

d) Side Yards:
i) One and One and one-half storey: 1.2 m and 0.6 m
ii) Two storeys: 1.2 m and 1.2 m
iii) Abutting a creek block/O1 Zone/walkway: 1.2 m

e) Building Height:
i) One storey: 7.5 m
ii) One and one-half storey: 9.0 m
iii) Two storeys: 12.5 m

f) Lot Coverage:
i) One storey: 60%
ii) One and one-half storey: 55%
iii) Two storeys: 48% excluding one storey rear yard building encroachment and lanai/loggia

g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.

h) Building setback abutting a pipeline easement: 7 m

i) Building setback abutting a railway right-of-way: 30 m

j) Encroachment into Yards is permitted as follows:
i) 1.5 m into a Front Yard for an unenclosed porch, deck and/or stairway.
ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

<u>R3.2(2)-xxx (15.24m x 34.0m)</u>

a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling

b) Minimum Driveway length: 6.7 m

c) Rear Yard measured from an O1 Zone:
i) One storey: 4.5 m
ii) One and one-half storey: 6.0 m
iii) Two storeys: 7.5 m

d) Side Yards:
i) One and One and one-half storey: 1.2 m and 0.6 m
ii) Two storeys: 1.2 m and 1.2 m
iii) Exterior Side Yard: 4.5 m
iv) Abutting a creek block/O1 Zone/walkway: 1.2 m

e) Building Height:
i) One storey: 7.5 m
ii) One and one-half storey: 9.0 m
iii) Two storeys: 12.5 m

f) Lot Coverage:
i) One storey: 50%
ii) One and one-half storey: 45%
ii) Two storeys: 40% excluding one storey rear yard building encroachment and lanai/loggia

g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.

h) Building setback abutting a pipeline easement: 7 m

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i) Building setback abutting a railway right-of-way: 30 m
j) Encroachment into Yards is permitted as follows:
    i) 1.5 m into a Front Yard and Exterior Side Yard for an unenclosed porch, deck and/or stairway.
    ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

R3.2(3)-xxx (15.24m x 40.0m)

a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling
b) Minimum Driveway length: 6.7 m
c) Rear Yard measured from an O1 Zone:
    i) One storey: 4.5 m
    ii) One and one-half storey: 6.0 m
    iii) Two storeys: 7.5 m
d) Side Yards:
    i) One and One and one-half storey: 1.2 m and 0.6 m
    ii) Two storeys: 1.2 m and 1.2 m
    iii) Exterior Side Yard: 4.5 m
    iv) Abutting a creek block/O1 Zone/walkway: 1.2 m
e) Building Height:
    i) One storey: 7.5 m
    ii) One and one-half storey: 9.0 m
    iii) Two storeys: 12.5 m
f) Lot Coverage:
    i) One storey: 55%
    ii) One and one-half storey: 52%
    ii) Two storeys: 46% excluding one storey rear yard building encroachment and lanai/loggia
g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.
h) Building setback abutting a pipeline easement: 7 m
i) Building setback abutting a railway right-of-way: 30 m
j) Encroachment into Yards is permitted as follows:
    i) 1.5 m into a Front Yard and Exterior Side Yard for an unenclosed porch, deck and/or stairway.
    ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

R2.3(1)-xxx (18.3m x 34.0m)

a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling
b) Minimum Driveway length: 6.7 m
c) Rear Yard measured from an O1 Zone:
    i) One storey: 4.5 m
    ii) One and one-half storey: 6.0 m
    iii) Two storeys: 7.5 m
d) Side Yards:
    i) One and One and one-half storey: 1.2 m and 0.6 m

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ii) Two storeys: 1.5 m and 1.5 m

e) Building Height:
   i) One storey: 7.5 m
   ii) One and one-half storey: 9.0 m
   iii) Two storeys: 12.5 m

f) Lot Coverage:
   i) One storey: 51%
   ii) One and one-half storey: 48%
   ii) Two storeys: 40% excluding one storey rear yard building encroachment and lanai/loggia

g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.

h) Building setback abutting a pipeline easement: 7 m

i) Building setback abutting a railway right-of-way: 30 m

j) Encroachment into Yards is permitted as follows:
   i) 1.5 m into a Front Yard for an unenclosed porch, deck and/or stairway.
   ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

<u>R2.3(2)-xxx (18.3m x 40.0m)</u>

a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling

b) Minimum Driveway length: 6.7 m

c) Rear Yard measured from an O1 Zone:
   i) One storey: 4.5 m
   ii) One and one-half storey: 6.0 m
   iii) Two storeys: 7.5 m

d) Side Yards:
   i) One and One and one-half storey: 1.2 m and 0.6 m
   ii) Two storeys: 1.5 m and 1.5 m
   iii) Exterior Side Yard: 4.5 m
   iv) Abutting a creek block/O1 Zone/walkway: 1.2 m

e) Building Height:
   i) One storey: 7.5 m
   ii) One and one-half storey: 9.0 m
   iii) Two storeys: 12.5 m

f) Lot Coverage:
   i) One storey: 57%
   ii) One and one-half storey: 53%
   ii) Two storeys: 46% excluding one storey rear yard building encroachment and lanai/loggia

g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.

h) Building setback abutting a pipeline easement: 7 m

i) Building setback abutting a railway right-of-way: 30 m

j) Encroachment into Yards is permitted as follows:
   i) 1.5 m into a Front Yard for an unenclosed porch, deck and/or stairway.
   ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

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R2.3(3)-xxx (Custom Lots)

a) Front Yard: 6.7 m to attached garage and 4.5 m to dwelling
b) Minimum Driveway length: 6.7 m
c) Rear Yard measured from an O1 Zone:
    i) One storey: 4.5 m
    ii) One and one-half storey: 6.0 m
    iii) Two storeys: 7.5 m
d) Side Yards:
    i) One and One and one-half storey: 1.2 m and 0.6 m
    ii) Two storeys: 1.5 m and 1.5 m
    iii) Exterior Side Yard: 4.5 m
    iv) Abutting a creek block/O1 Zone/walkway: 1.2 m
e) Building Height:
    i) One storey: 7.5 m
    ii) One and one-half storey: 9.0 m
    iii) Two storeys: 12.5 m
f) Lot Coverage:
    i) One storey: 55%
    ii) One and one-half storey: 52%
    ii) Two storeys: 45% excluding one storey rear yard building encroachment and lanai/loggia
g) Floor Area Ratio/Dwelling Depth: Floor Area Ratio and Dwelling Depth provisions in Sections 4.5 and 4.6 of By-law 2020 shall not apply.
h) Building setback abutting a pipeline easement: 7 m
i) Building setback abutting a railway right-of-way: 30 m
j) Encroachment into Yards is permitted as follows:
    i) 1.5 m into a Front Yard and Exterior Side Yard for an unenclosed porch, deck and/or stairway.
    ii) For two storey dwellings, 4.0 m into a Rear Yard for a lanai/loggia and a one storey addition measured at the established grade at the front of the dwelling to a maximum of 45% of the dwelling width.

2. Regulations for O1 Zone

a) That the Regulations of Section 4.4 of Zoning By-law 2020 do not apply to the lands zoned O1.

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

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Exception	Zone	Map	Amendment	Enacted
xxx (Area E)	RM3	24	2020.xxx	

Regulations for Apartment Building and Townhouses (Area E):

Apartment Building

1) Permitted Use

   Apartment Building in accordance with the RM3 Zone provisions save and except the provisions set out in Section 2 below.

2) Regulations for Apartment Building:

   a) Front Yard: 2.8 m to building and 1.0 m to below grade parking garage
   b) West Side Yard: 20 m to building and 3 m to below grade parking garage
   c) East Side Yard: 5 m
   d) Rear Yard: 3.0 m to building and 1.0 m to below grade parking garage
   e) Density: 220 units/ha
   f) Building Height: 7 storeys up to 24 m maximum including mechanical penthouse and rooftop amenity
   g) Amenity Area: 25 m^2 per unit

Townhouses

1) Permitted Uses

   Townhouses in accordance with the provisions of the RM3 Zone save and except the provisions set out in Section 2 below.

2) Regulations for Townhouses from External Property Boundaries:

   a) Lot Area: 0.6 ha
   b) Front Yard: 2.5 m
   c) Rear Yard: 1.5 m
   d) West Side Yard: 6.0 m from an O1 Zone
   e) Yard abutting hydro corridor: 3.0 m
   f) Density: 65 units/ha
   g) Landscaped Area abutting Dundas Street: 1.5 m
   h) Maximum Building Height: 3 storeys up to 14 m maximum
   i) Driveway and parking setback from a wall of a building containing windows of a habitable room, except where a parking space and driveway is for the exclusive use of the unit occupant: 2.0 m
   j) Loading Spaces: None Required
   k) Amenity and Privacy Areas: None Required for Back-to-Back Townhouses

3) Regulations for Townhouses on Parcels of Tied Land:

   a) Front Yard: 2.5 m

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b) Minimum Driveway Length: 5.5 m/0.75 m for rear lane townhouses
c) Interior Side Yard: 0 m/1.2 m
d) Exterior Side Yard: 2.0 m
e) Daylight or Visibility Triangle: 1.0 m
f) Rear Yard: 6.0 m/0 metres for Back-to-Back Townhouses and 0.75 m for rear lane townhouses
g) Encroachments: Front, Side or Read Yard for a porch, balcony, deck and/or stairway: 1.5 m
h) Projections: a bay/box window with or without a foundation may project 0.6 m into a Side Yard or 1.6 m into any other required yard

Regulations for O1 Zone

a) That the Regulations of Section 4.4 of Zoning By-law 2020 do not apply to the lands zoned O1.

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

8. 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.

9. 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.

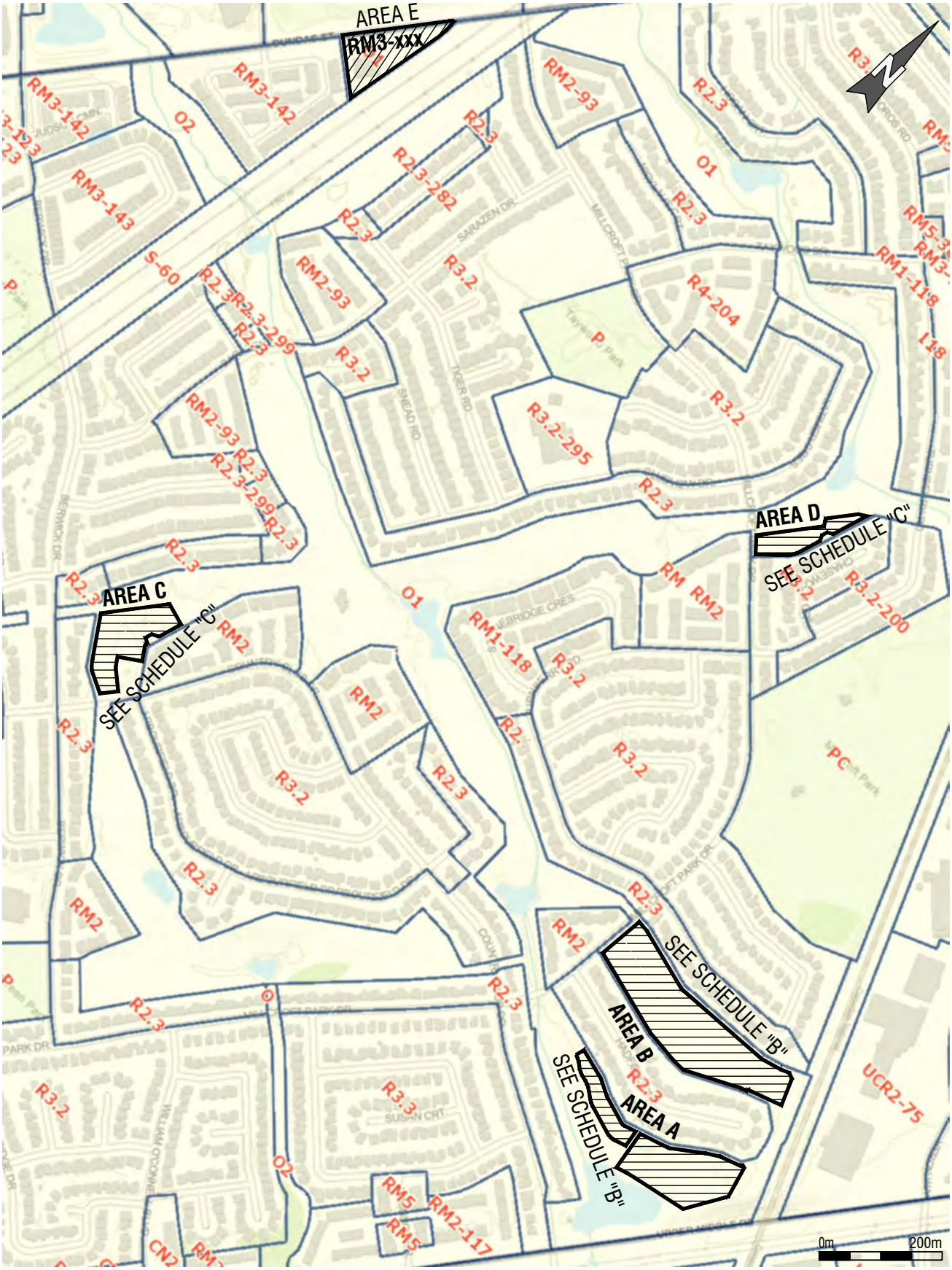
ENACTED AND PASSED this _____day of _____2022.

_____
MAYOR

_____
CITY CLERK

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Schedule "A"
By-Law No.____
City of Burlington



This is a Schedule "A"
To By-Law No. ____ Passed
This __Day of __, 2022

Lands to be Rezoned

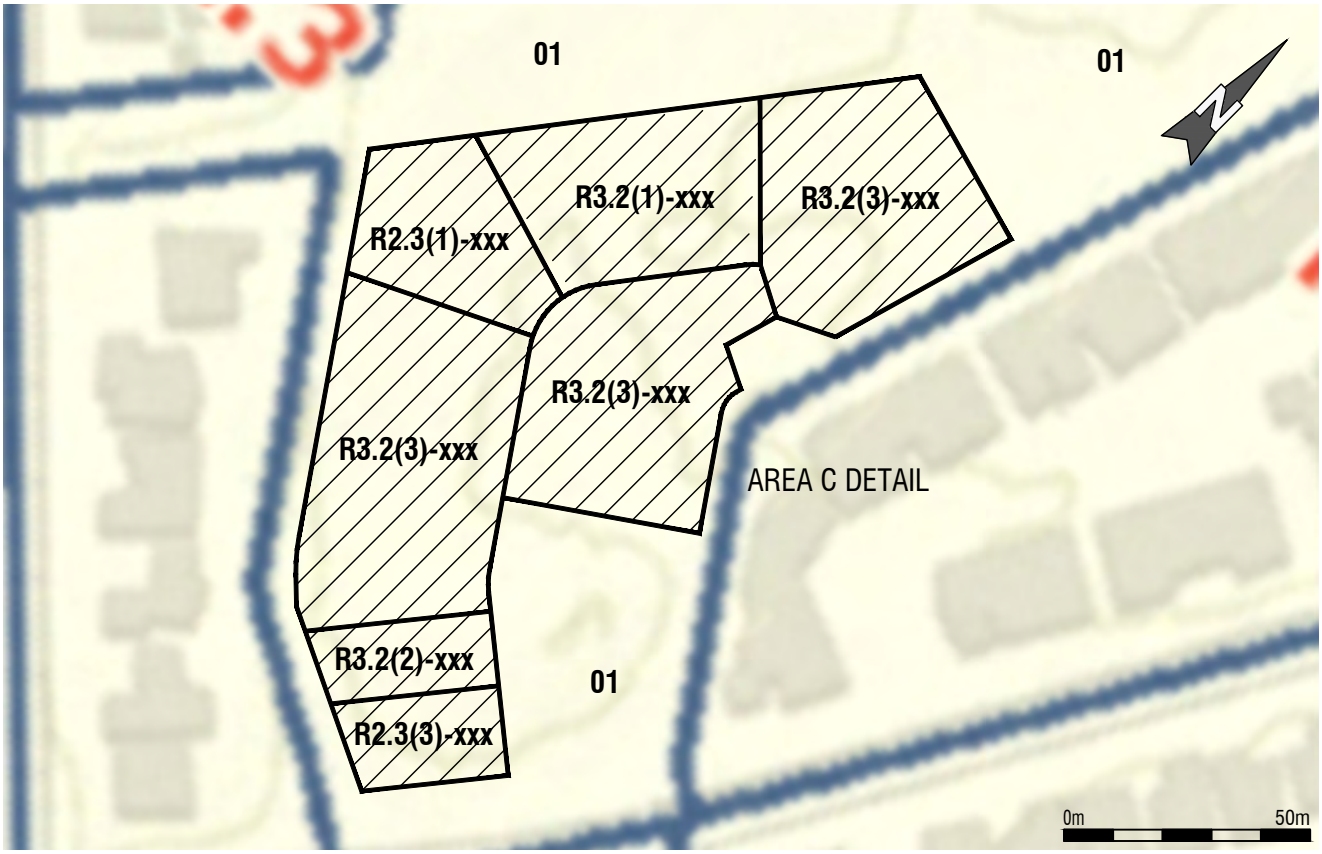
Schedule "B"
By-Law No.____
City of Burlington

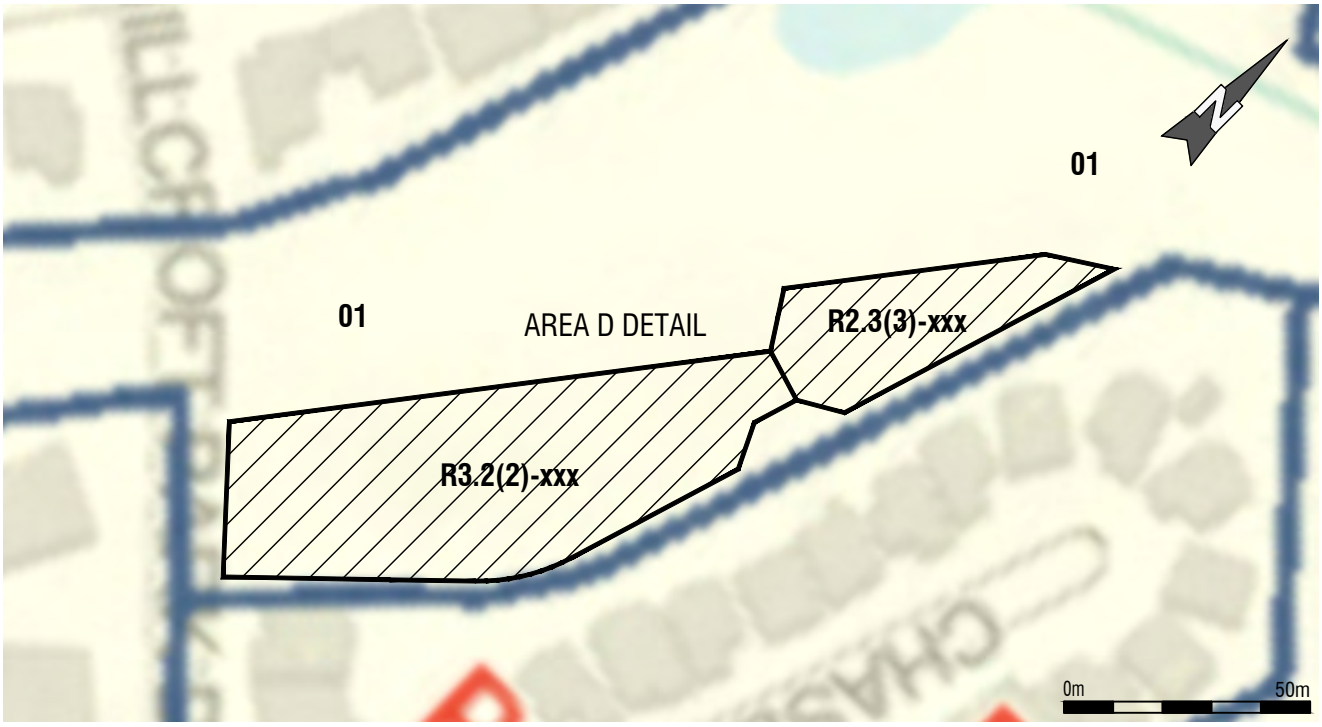


This is a Schedule "B"
To By-Law No. ____ Passed
This __Day of __, 2022

Lands to be Rezoned

Schedule "C"
By-Law No.____
City of Burlington





This is a Schedule "C"
To By-Law No. ____ Passed
This __Day of __, 2022

Lands to be Rezoned