APPENDIX C – DRAFT ZONING BY-LAW

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.377

A By-law to amend By-law 2020, as amended; 2025 Guelph Line
File No.: 520-01-16

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 PB-12-17 on ______________, 2017, to amend the City’s existing Zoning By-law 2020, as amended, to permit additional commercial development in the southeast quadrant of 2025 Guelph Line

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

1. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by deleting the regulations in Exception 64 in its entirety, and replacing Exception 64 with the following:

<table>
<thead>
<tr>
<th>Exception 64</th>
<th>Zone</th>
<th>Map</th>
<th>Amendment</th>
<th>Enacted</th>
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<tbody>
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<td>CC1-64</td>
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</tbody>
</table>

1. Regulations applicable to entire site shown on Diagram 64

Maximum floor area: 19,040 m²

Maximum floor area for seasonal outdoor garden centre: 1,608 m²

Landscape area abutting Guelph Line: 4 m

Landscape area abutting Upper Middle Road: 3.9 m

Landscape area abutting Upland Drive: 5.3 m

Landscape area abutting hypotenuse of daylight triangle at Upper Middle Road and Upland Drive: 3.5 m

Minimum building setback from property line to the north shall be 28 m, except that enclosures for loading docks and garbage compactors may encroach into this minimum setback area
Windows or other means of providing visual access or visual exposure for commercial use are prohibited at the rear and east sides of the main building.

Notwithstanding Part 1, Subsection 2.26 (1) (a) of this By-law, the parking space size existing as of the date of passage of Zoning By-law 2020.377 (________, 2017) located outside of Area A on Diagram 64 shall be recognized.

Notwithstanding Part 4, Subsection 6.10 (d) of this By-law, the parking area located in the southwest quadrant of the site shall be permitted to exceed the maximum of 190 spaces per parking area and shall not be included in calculating the average parking area size of 150 spaces.

2. Regulations applicable to Area A shown on Diagram 64

The following uses are prohibited:

- Funeral Home
- Motor vehicle repair garage
- Sale and/or repair of motorcycles
- Assembly or banquet hall
- Pool Hall

Maximum number of restaurants: 2
Maximum number of drive-through facilities for all uses: 1
Separation distance between standard restaurant and residential zone: 30 m

Outdoor patios are prohibited on building elevations facing Upland Drive

Diagram 64

Except as amended herein, all other provisions of this By-law, as amended, shall apply.
2 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.

2 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 Municipal Board this By-law shall be deemed to have come into force on the day it was passed.

**ENACTED AND PASSED this ........day of .................... 2017 .**

______________________________ MAYOR

______________________________ CITY CLERK