

APPENDIX C – DRAFT ZONING BY-LAW

DRAFT BY-LAW NUMBER 2020.XXX, SCHEDULE ‘A’ AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

Being a By-law to amend By-law 2020, as amended; for 421 – 431 Brant Street, for the purpose of facilitating the development of a XX storey mixed use building.
File Nos.: 505-01/17 & 520-02/17 (PB-62/17)

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-62/17 on _____, 2017, to amend the City’s existing Zoning By-law 2020, as amended, to permit a residential development consisting of a residential apartment building;

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

1. Zoning Map Number 9A 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 DC and DC-434 to DC-473.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by replacing Exception 434 with the following:

Exception 473	Zone DC-434	Map 9A	Amendment 2020.XXX	Enacted
1. <u>Regulations for Apartment Building</u>				
			a) Apartment buildings shall be subject to footnote (g) of Table 6.2.1 and shall contain a minimum of 365 square metres of office space on the second storey	
			b) Ground floor retail and/or service commercial area	900m ²
			c) Lot Area	0.2 ha
			d) Density	169 units maximum
			e) Floor Area Ratio	9.45:1 maximum

f) Yard Abutting Brant Street	
Floors 1 to 4	2.9m
Floors 5 to 18	9.2m
Floors 19 to 22	10.2m
Floor 23	19m
g) Yard Abutting James Street	
Floors 1 to 4	2.6m
Floors 5 to 18	5.6m
Floors 19 to 22	6.6m
Floor 23	15.2m
h) Yard Abutting John Street	
Floors 1 to 4	1.8m
Floors 5 to 18	5.2m
Floors 19 to 22	6.2m
Floor 23	9.1m
i) Side Yard (North)	
Floors 1 to 2	0m
Floors 2 to 5	0m
Floors 6 to 22	12.5m
Floor 23	14.5m
j) Balconies	
Floors 2 to 4	Balconies cannot encroach into a required yard
Floors 5 to 22	Balconies can encroach a maximum of 2m
k) Parking Structure	
Abutting a street	0.5m
Abutting all other lot lines	0.7m
Entrance and exit ramps to below grade parking structure setback	6m
l) Building Height	23 storey maximum taken from fixed grade up to 81m
Floor 1	5m
Floor 2	3.9m
i) Maximum Floor Area	
Storeys at or above the 6 th storey	760m ²
j) Glazing Percentage on the First Storey Elevation Facing a Street	
John Street	25%
m) Parking	
Occupant parking	1.2 parking spaces per residential unit
Visitor parking spaces	8

n) Visibility Triangle	
Brant Street x James Street	16m x 16m
James Street x John Street	6m x 6m

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

- 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;

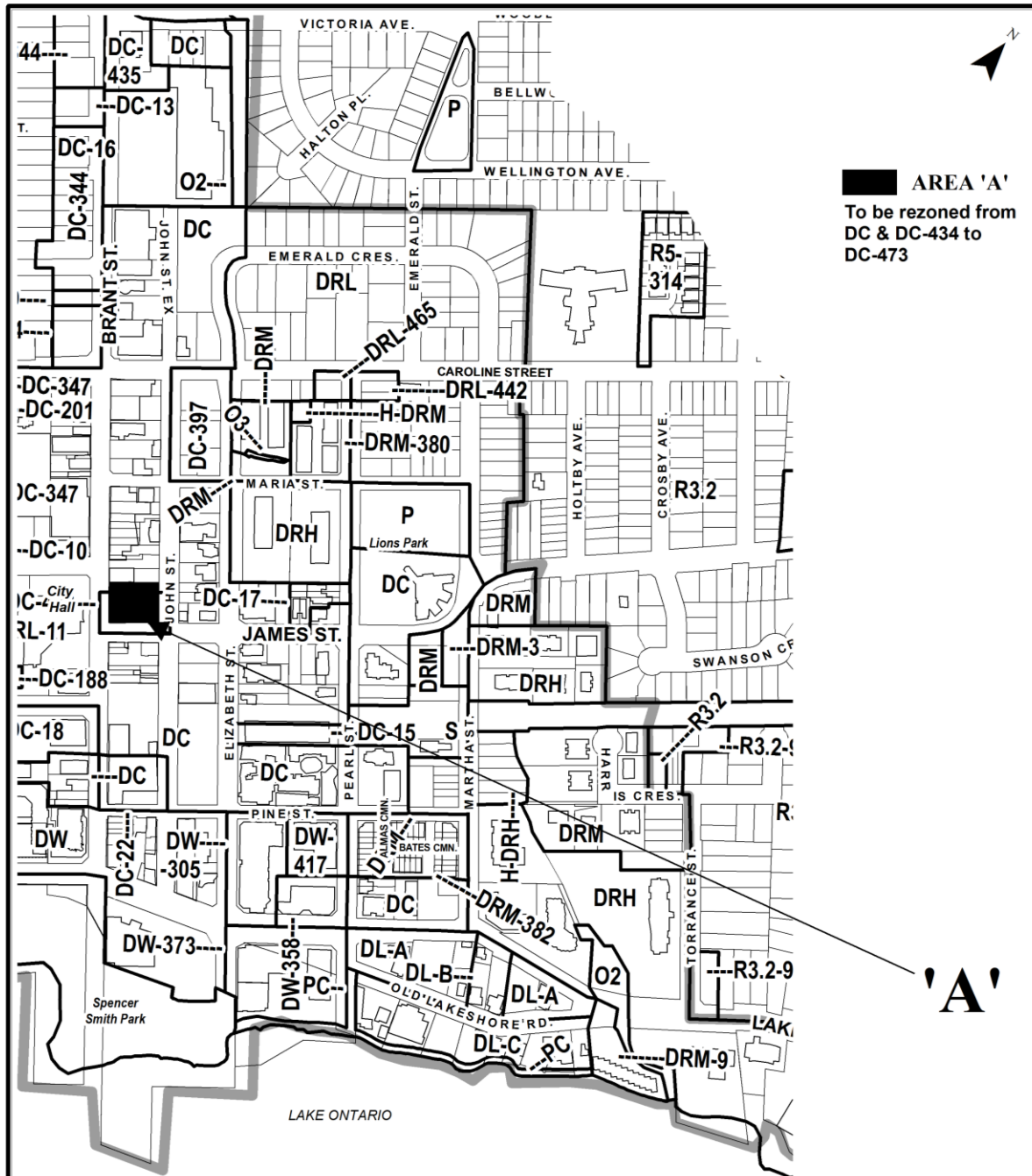
- 5 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Municipal Board this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this.....day of2017.

_____MAYOR

_____CITY CLERK

Schedule 'A' to By-law 2020.XXX



SCHEDULE 'A' TO BY-LAW 2020.XXX AMENDING MAP NO. 9A-E PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE _____ DAY OF _____

MAYOR

CITY CLERK

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

By-law 2020.XXX rezones lands 421 – 431 Brant Street, to permit a mixed use development consisting of a 23 storey building, with ground floor retail / commercial uses, 2nd floor office uses and residential apartment units above.

For further information regarding By-law 2020.XXX, please contact Kyle Plas of the City of Burlington Planning & Building Department at (905) 335-7600, extension 7555.