

APPENDIX IV –

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

**THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER 2020.XXX**

A By-law to amend By-law 2020, as amended; 441 North Service Road,
File No.: 520-01/17

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 Recommendation PB-36-17 on December XX, 2017, to amend the City’s existing Zoning By-law 2020, as amended, to permit the expansion of the existing automotive dealership at 441 North Service Road and the surface parking on the adjacent property to the north;

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

1. Zoning Map Number 6 - W 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 S (Utility Services) zone to the S-475 (Utility Services) zone with site specific regulations.
3. The lands designated as “B” on Schedule “A” attached hereto are hereby rezoned from BC2-381 (Business Corridor) and replacing it with a modified site specific BC2-381 ((amended) Business Corridor) Zone.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by replacing Exception 381 as follows:

Delete Exception 381, replacing it with a modified Exception 381 as follows:

Exception 381	Zone BC2-381	Map 6W	Amendment 2020.XXX	Enacted December XX, 2017												
<p>1. <u>Permitted Uses:</u></p> <p>The following additional uses are permitted:</p> <ul style="list-style-type: none"> Motor Vehicle Sales Motor Vehicle Leasing Motor Vehicle Rentals Motor Vehicle Display Motor Vehicle Storage and Service <p>2. <u>Regulations for Motor Vehicle Sales, Leasing, Rentals, Display, Storage and Service:</u></p> <p>Notwithstanding the definition of “Lot line, Front”, the North Service Road shall be the front lot line for the application of zoning regulations.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Lot Width:</td> <td>230 m</td> </tr> <tr> <td>Lot Area:</td> <td>2.3 ha</td> </tr> <tr> <td>Landscape Area, abutting North Service Road:</td> <td> <p>Abutting North Service Road, Within 60m of the west lot line, a 10 m landscape area is required which may include pedestrian walkways</p> <p>Abutting the rear lot line – no landscaping required</p> <p>No parking is allowed within the landscape area</p> </td> </tr> <tr> <td>Landscape Area, abutting rear lot line:</td> <td>None required</td> </tr> <tr> <td>Yards:</td> <td> <p>Abutting North Service Road:</p> <p>17 m</p> </td> </tr> <tr> <td>Building Height:</td> <td>2 storeys, shall not exceed 135 m geodetic datum.</td> </tr> </table>					Lot Width:	230 m	Lot Area:	2.3 ha	Landscape Area, abutting North Service Road:	<p>Abutting North Service Road, Within 60m of the west lot line, a 10 m landscape area is required which may include pedestrian walkways</p> <p>Abutting the rear lot line – no landscaping required</p> <p>No parking is allowed within the landscape area</p>	Landscape Area, abutting rear lot line:	None required	Yards:	<p>Abutting North Service Road:</p> <p>17 m</p>	Building Height:	2 storeys, shall not exceed 135 m geodetic datum.
Lot Width:	230 m															
Lot Area:	2.3 ha															
Landscape Area, abutting North Service Road:	<p>Abutting North Service Road, Within 60m of the west lot line, a 10 m landscape area is required which may include pedestrian walkways</p> <p>Abutting the rear lot line – no landscaping required</p> <p>No parking is allowed within the landscape area</p>															
Landscape Area, abutting rear lot line:	None required															
Yards:	<p>Abutting North Service Road:</p> <p>17 m</p>															
Building Height:	2 storeys, shall not exceed 135 m geodetic datum.															

	<p>Rooftop mechanical equipment and screening shall not exceed 137 m geodetic datum.</p> <p>1 rooftop sign, which includes a skylight with maximum width of 4.5 m and corporate logo with a maximum width of 2.5 m, shall not exceed 138 m geodetic datum.</p>
Site Coverage:	83% of net lot area
Outdoor Storage:	<p>Outdoor storage is prohibited except for vehicles and related merchandise for retail sale. Vehicles within 60 m of the west lot line (rear yard) shall be screened from the North Service Road with landscaping and decorative features.</p> <p>Waste and refuse containers are permitted provided they are screened from the North Service Road.</p> <p>Part 1, Section 2.2.3, yard requirements b) and c) do not apply.</p>
Retail Sales:	A maximum of 45% of the total floor area may be used for the display and retail sale of automobiles.
Parking:	Notwithstanding that Part 1 – General Conditions and Provisions, Subsection 2.25 - Off Street Parking and Loading Requirements requires that 229 parking spaces be provided on site, 167 parking spaces shall be provided on site with at least an additional 62 provided on the Hydro One lands identified as Area ‘A’ on the attached Schedule ‘A’.
<p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>	

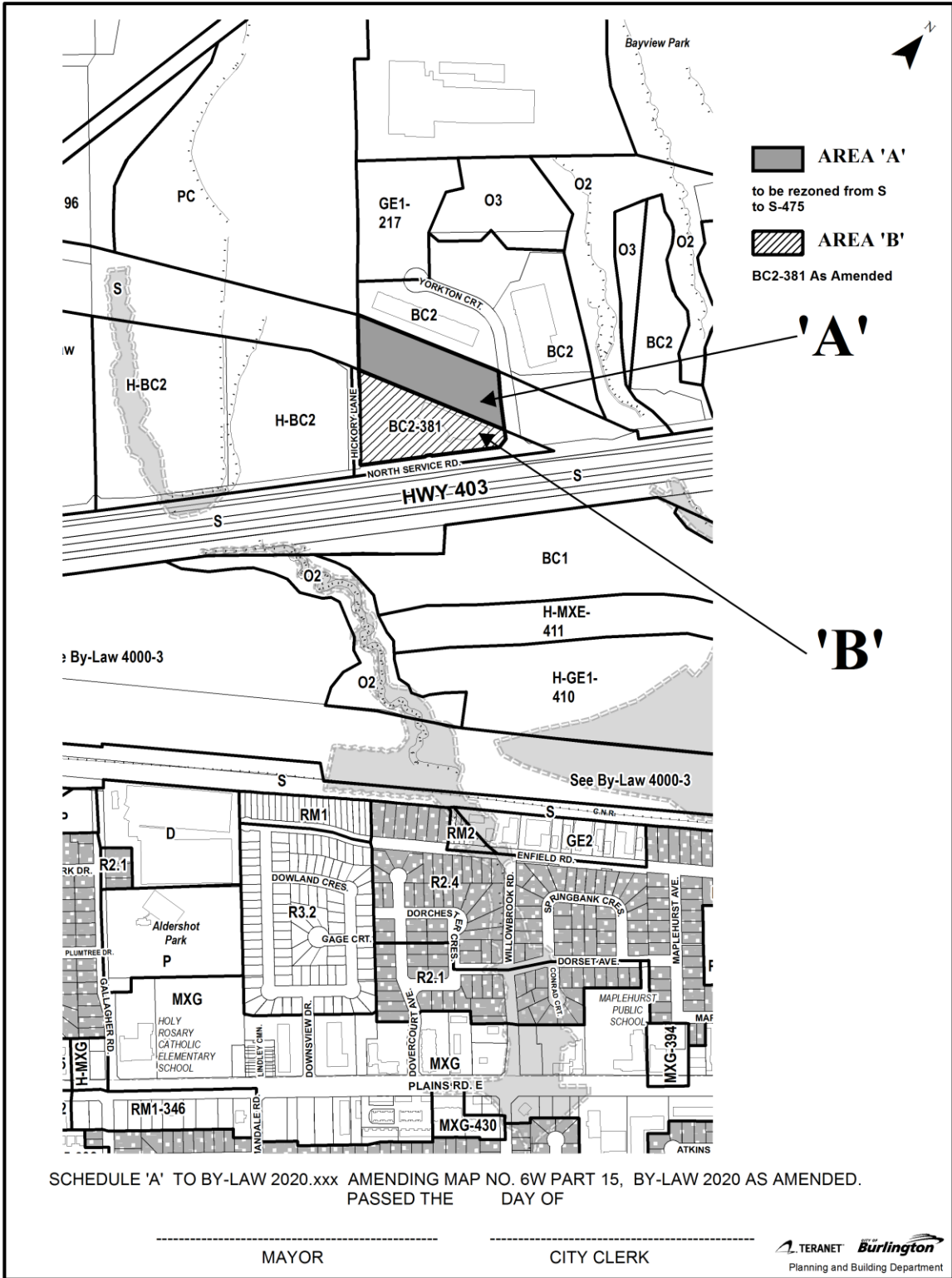
- 4 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;

- 4 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 thisday of 2017.

_____MAYOR

_____CITY CLERK



SCHEDULE 'A' TO BY-LAW 2020.xxx AMENDING MAP NO. 6W 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 on 441 North Service Road to permit the expansion of the existing automotive dealership at 441 North Service Road and the surface parking on the adjacent property to the north.

For further information regarding By-law 2020. XXX, please contact Mark Hefferton of the City of Burlington Planning & Building Department at (905) 335-7600, extension 7860.