

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.393

A By-law to amend By-law 2020, as amended; 452 and 454 Locust Street, 1437
and 1445 Elgin Street
File No.: 520-13/17 (PB-45-18)

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-45-18 on May 22, 2018, to amend the City's existing Zoning By-law 2020, as amended, to permit a seven storey mixed-use 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-348 to DC-481.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 481 as follows:

Exception 481	Zone DC	Map 9A	Amendment 2020.XXX	Enacted May 22, 2018
1) <u>Regulations for an Apartment Building</u>				
(a)	Notwithstanding Part 6, Section 2A, Table 6.2.1, footnote (g) shall not apply to an apartment building			
(b)	Floor Area:			
	(i) Retail or Service Commercial Floor area:	410 m ²		
	(ii) 7 th Storey Area:	In addition to an outdoor amenity area, a maximum of 85 m ² of floor area may be used for an indoor amenity area, elevator lobby, stairs, mechanical and/or storage rooms.		
(c)	Yard abutting Locust Street:	0.2 m		
(d)	Yard abutting Elgin Street:	1 m		
(e)	Yard abutting Blathwayte Lane:			
	(i) Storeys 1 to 4:	1.9 m		
	(ii) Storeys 5 and 6:	As required on Diagrams 481A and 481B		
(f)	North Side Yard:			
	(i) Storeys 1 to 4:	3 m		
	(ii) Storeys 5 and 6:	As required on Diagrams 481A and 481B		
(g)	Stepback for 7 th Storey from the limit of the 6 th Storey			
	(i) Abutting Locust Street:	8 m		
	(ii) Abutting Elgin Street:	10 m		
	(iii) Abutting Blathwayte Lane:	25 m		
	(iv) Abutting the North Side:	6 m		
(h)	Maximum Building Height:	7 storeys to 25.5 m		
	(i) First Storey:	4.5 m		
	(ii) Second Storey:	3.3 m		
(i)	Maximum Floor Area Ratio	4.6:1		
(j)	Maximum Number of Residential Units:	60		
(k)	Glazing of the first floor elevation facing a street:	37%		
(l)	Landscape Buffer abutting a DRL zone:	0.7 m		
(m)	Underground Parking Garage Setbacks:			
	(i) Abutting Locust Street:	0.6 m		
	(ii) Abutting Elgin Street:	1.6 m		
	(iii) Abutting Blathwayte Lane:	1.1 m		
	(iv) North side:	0.4 m		
	(v) Entrance and exit ramp set back to Locust Street:	6 m		

- (n) Notwithstanding Part 1, Section 2.26(9)(b) the minimum accessible parking pathway width shall be 1.5 m.
- (p) Notwithstanding Part 1, Section 2.25.3 a loading space is not required.

DIAGRAM 481A – 5th Storey

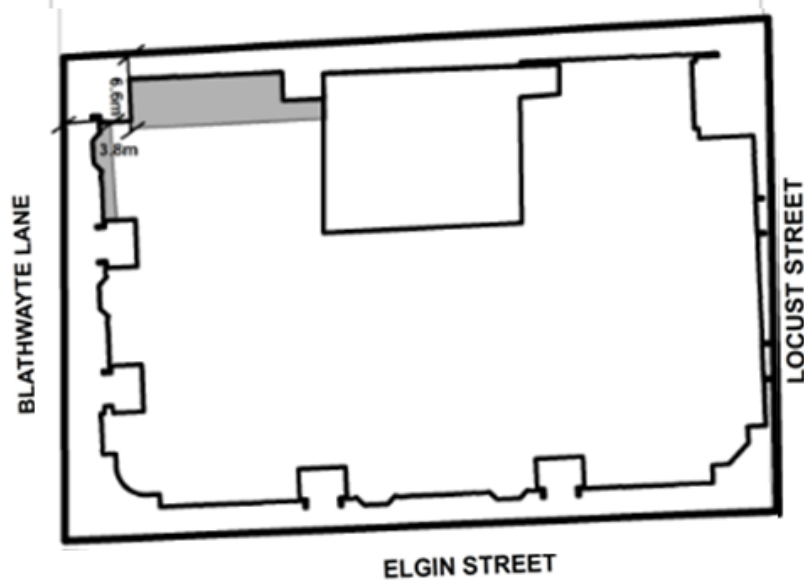
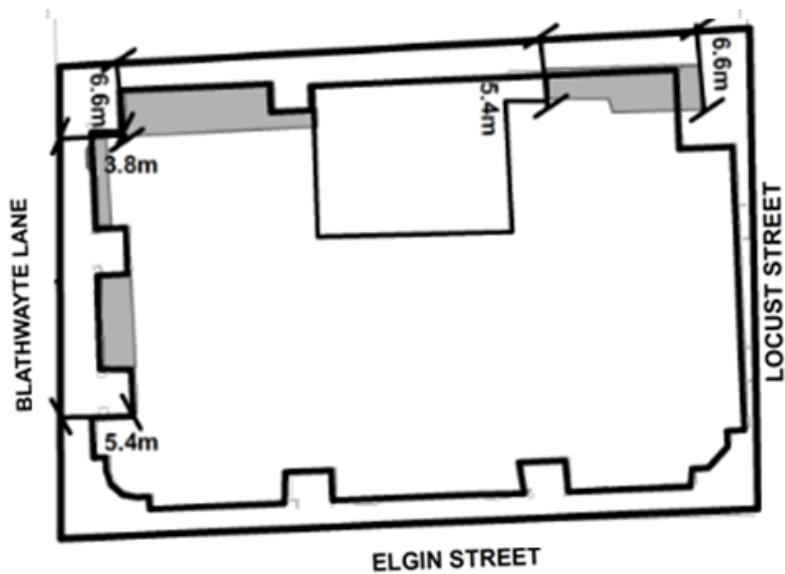


DIAGRAM 481B – 6th Storey



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 Local Planning Appeal Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this 22nd day of May, 2018

_____MAYOR

_____CITY CLERK

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

By-law 2020.XX rezones lands on 452 and 454 Locust Street, 1437 and 1445 Elgin Street, to permit a seven storey mixed-use development.

For further information regarding By-law 2020.XX, please contact Melissa Morgan of the Burlington City Building Department at (905) 335-7600, extension 7788.