

Property	452 Locust St., Plan 74 Lot 56, City of Burlington, Regional Municipality of Halton.
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DECISION 540-02-A-006/16:

Having regard for the requirements of Section 45 Sub-section (1) of the *Planning Act*, RSO., 1990, as amended, CP. 13;

And after having fully considered staff comments in the Agenda, all evidence presented and heard at the hearing

The Committee **GRANTS** the application under **File 540-02-A-006/16** at 452 Locust St. Burlington:

1. To permit the ground floor of the building within 15 m of Elgin Street to be used for residential apartment units whereas Part 6, Section 2A – Table 6.2.1(g) states that the ground floor of any building within 15 m of a street shall be used only for retail or service commercial uses.
2. To permit the ground floor of the building within 15 m of Locust Street to be used for residential apartment units whereas Part 6, Section 2A – Table 6.2.1(g) states that the ground floor of any building within 15 m of a street shall be used only for retail or service commercial uses.
3. To permit the ground floor of the building within 15 m of Blathwayte Lane to be used for residential apartment units whereas Part 6, Section 2A – Table 6.2.1(g) states that the ground floor of any building within 15 m of a street shall be used only for retail or service commercial uses.
4. To permit a 0.7 m landscape buffer abutting the DRL-11 residential zone whereas Part 6, Section 4.6 requires a 3 m landscape buffer abutting a residential or DRL zone
5. To permit a maximum 5 storeys and 18.6 m whereas Part 6, Section 4.2 permits a maximum 4 storeys and 15 m.
6. To permit a minimum 3.3 m second storey whereas Part 6, Section 4.2 requires a second storey of 4.5 m.
7. To permit a minimum 39 % first floor glazing on the building elevation facing Blathwayte Lane whereas Part 6, Section 4.5(b) requires the first floor glazing of any building elevation facing a street shall have a minimum of 60% glazing.
8. To permit a minimum 37 % first floor glazing on the building elevation facing Elgin Street whereas Part 6, Section 4.5(b) requires the first floor glazing of any building elevation facing a street shall have a minimum of 60% glazing.

9. To permit a minimum 39 % first floor glazing on the building elevation facing Locust Street whereas Part 6, Section 4.5(b) requires the first floor glazing of any building elevation facing a street shall have a minimum of 60% glazing.
10. To permit a minimum 6 m entrance and exit ramp setback from a street line whereas Part 1, Section 2.26(5)(ii) requires an entrance and exit ramp shall be setback 7.5 m from a street line.
11. To permit a 0.6 m underground parking garage setback from Locust Street whereas Part 1, Section 2.26(5)(iii) requires that a below grade parking structure shall be setback 3 m from all property lines and street lines.
12. To permit a 1.6 m underground parking garage setback from Elgin Street whereas Part 1, Section 2.26(5)(iii) requires that a below grade parking structure shall be setback 3 m from all property lines and street lines.
13. To permit a 1.1 m underground parking garage setback from Blathwayte Lane whereas Part 1, Section 2.26(5)(iii) requires that a below grade parking structure shall be setback 3 m from all property lines and street lines.
14. To permit a 0.47 m underground parking garage setback from the north lot line whereas Part 1, Section 2.26(5)(iii) requires that a below grade parking structure shall not extend into a required landscape buffer and shall be setback 3 m from all property lines and street lines.
15. To permit a 5 storey apartment building with no loading space whereas Part 1, Section 2.25.3 requires one loading space in conjunction with every principle building.
16. To permit a 1.5 m “accessible parking pathway” whereas Part 1, Section 2.26(9)(b) requires a delineated “accessible parking pathway” with a minimum width of 2 m.

These variances are for the life of the development only; any construction associated with this application shall be substantially in accordance with the final approved site plan under File: 535-15/15 as determined by the Director of Planning and Building and the following:

- I. Variance #5 – Building Height is supported only to permit a rooftop amenity area as detailed in the plans submitted in support of the Site Plan Application File 535-15/15.
- II. Variance #10 - The entry/exit area maintain a minimum length of 6 m

The reasons for the Committee’s decision are that:

- 1) The general intent and purpose of the Official Plan **will** be maintained.
- 2) The general intent and purpose of the zoning by-law **will** be maintained
- 3) The requested variances **are** desirable for the appropriate development or use of the property
- 4) The requested variances **are** minor

Conditions:

The decision of the minor variance application will not come into full force and effect until all conditions have been satisfied within the time period specified which period begins from the last date of appeal, all conditions as listed below must be fulfilled. Any time period given is a maximum period only and cannot be extended.

The following conditions must be satisfied within 2 years:

- (i) Obtain appropriate form of site plan approval;
- (ii) Obtain a zoning certificate (required for building permit) and a building permit.

The decision of the committee is subject to a 20 day appeal period that starts today. The Secretary Treasurer will mail a copy of the decision within 10 days of this meeting

"M. Ramsay_"

M. RAMSAY, CHAIR

"T. Kay"

T. KAY, MEMBER

"A. Rawlings"

A. RAWLINGS, MEMBER

"J. Vice"

J. VICE, MEMBER

Date of hearing: **April 11, 2016**

Last day to appeal: **May 1, 2016**

I certify this to be a true copy of the committee's decision.

SEAN KENNEY, SECRETARY
TREASURER