

ZONING BY-LAW

BY-LAW NUMBER 2020.395, **SCHEDULE 'A' AND EXPLANATORY NOTE**

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.395

A By-law to amend Zoning By-law 2020, as amended; to permit the development of two detached dwellings, two semi-detached dwellings and 14 townhouse units.
File No.: 520-05/17 (PB-46-18)

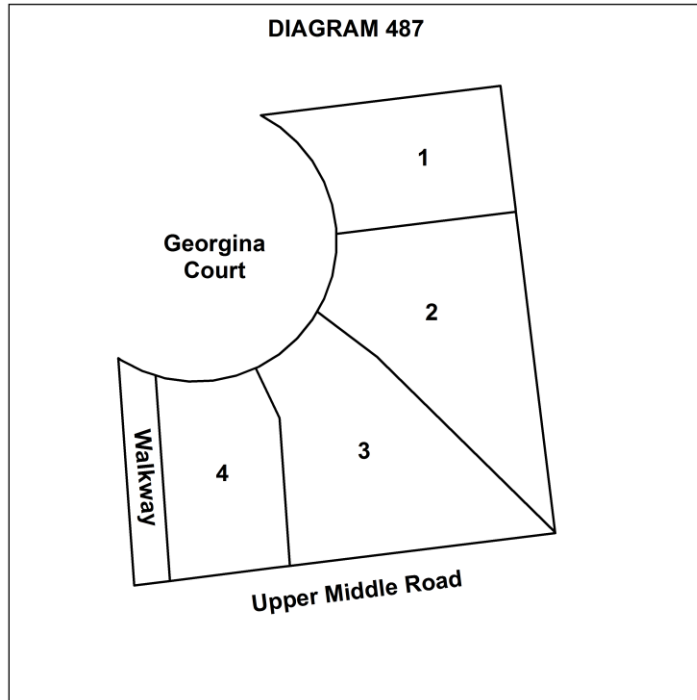
WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved the recommendations in Report PB-46-18 on July 9, 2018, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential development consisting of two detached dwellings, two semi-detached dwellings and two townhouse blocks.

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

1. Zoning Map Number 29-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 'RM3-138' and 'D' to 'RO2-487'.
3. The lands designated as "B" on Schedule "A" attached hereto are hereby rezoned from 'RM3-138' and 'D' to 'RO2-488'.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 487 as follows:

| Exception 487 | Zone RO2 | Map 29-W | Amendment 2020.395 | Enacted (date) |
|--|-------------|-------------|-----------------------|-------------------|
| <p>1. <u>Regulations for Entire Property:</u></p> <p>a. Part 1 – General Conditions and Provisions, Section 2.3 - Patios, Decks, Balconies and Porches – Residential, shall apply</p> <p>b. Part 2 – Residential Zones, Section 18.10 (a) and (b) – Encroachments, shall not apply</p> <p>2. <u>Regulations for Detached Dwellings (Lots 1 and 2 in Diagram 487):</u></p> <p>a. Maximum number of dwellings: 2</p> <p>b. Notwithstanding the definition of Lot Line, Front, the straight line joining the two points where the side lot lines intersect the street line shall not be less than 8 m for Lot 2.</p> <p>3. <u>Regulations for Semi-Detached Dwellings (Lots 3 and 4 in Diagram 487):</u></p> <p>a. Maximum number of units: 4</p> <p>b. Lot Area: 128 m²</p> <p>c. Lot Width: 6.1 m</p> <p>d. Rear Yard:</p> <p style="padding-left: 40px;">Lot 3: 5.4 m</p> <p style="padding-left: 40px;">Lot 4: 2.5 m</p> <p>e. Maximum Building Height: 3 storeys to 12.7 m</p> <p>f. Maximum Lot Coverage: 58.5 %</p> <p>g. Side Yard for Lot 4: 0.6m</p> <p>h. Setbacks for Lot 4:</p> <p style="padding-left: 40px;">To landscape steps in rear yard: 0 m</p> <p style="padding-left: 40px;">To roofed over deck: 1.0 m</p> <p style="padding-left: 40px;">To rear balcony: 1.5 m</p> <p>i. Maximum width of driveway plus walkways: 5 m</p> | | | | |



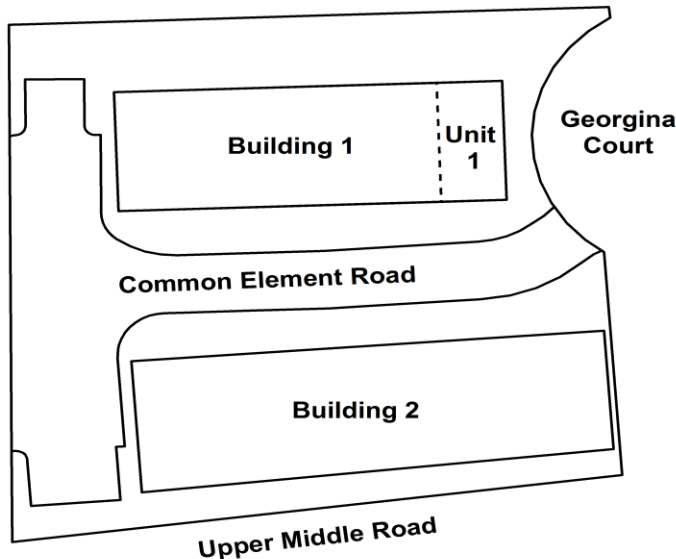
5. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 488 as follows:

| Exception 488 | Zone RO2 | Map 29W | Amendment 2020.395 | Enacted (date) |
|--|-------------|------------|-----------------------|-------------------|
| 1. <u>Regulations for Entire Property:</u> <ol style="list-style-type: none"> Part 1 – General Conditions and Provisions, Section 2.3 - Patios, Decks, Balconies and Porches – Residential, shall apply Part 2 – Residential Zones, Section 18.10 – Encroachments, shall not apply | | | | |
| 2. <u>Regulations for Townhouses (Buildings 1 and 2 in Diagram 488):</u> <ol style="list-style-type: none"> Maximum number of units: 14 Front Yard (Georgina Court): 2.8 m Setback to front porch: (Georgina Court): 1.3 m East Side Yard for Building 2: 0.6 m Yard abutting Upper Middle Road: 3 m Maximum Building Height: 3 storeys to 11.5 m Visitor Parking: 4 spaces including 1 accessible space Privacy Areas for Building 1 may be open on the side opposite the building Landscape Buffer abutting any other residential use for Building 1, Unit 1: 0 m Privacy Areas for Building 2: Not required Amenity Areas for Building 2: 14.9 m² unit Setbacks for rear decks abutting Upper Middle Road (including roof overhang): 1 m Setbacks for landscape steps abutting Upper Middle Road: 0 m Setback to driveways and parking from a wall of a building containing windows of habitable rooms: 1 m | | | | |

3. **POTL Regulations:** Notwithstanding Part 1-General Conditions and Provisions, Subsection 2.33 Parcels of Tied Land (POTL), the following regulations shall apply:

- a. Front Yard abutting a common element road:
 - Building 1: 1.7 m
 - Building 2: 2.2 m
- b. Side yard adjacent to an exterior wall of a building: 0.6 m
- c. Yard abutting Georgina Court: 2.8 m
- d. Rear Yard:
 - Building 1: 4.6 m
 - Building 2: 3.2 m
- e. Rear yard setback to balconies and decks on Building 1: 3 m
- f. Setback to porch from Georgina Court: 1.3 m
- g. Setback to rear decks from Upper Middle Road (including roof overhangs): 1 m
- h. Setback to landscape steps from Upper Middle Road: 0 m

DIAGRAM 488



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

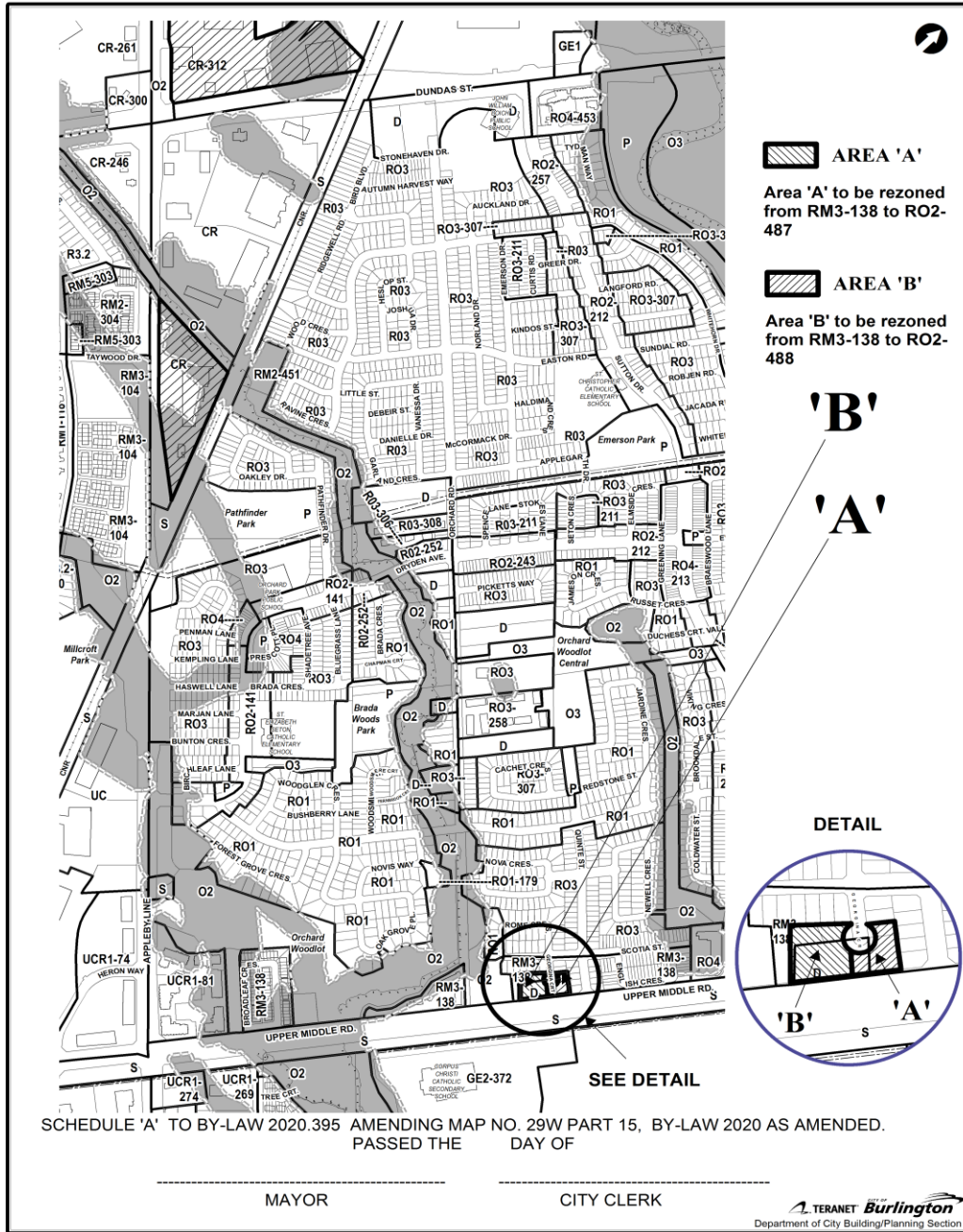
- 6 a) When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;
- 6 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this 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.....day of2018.

MAYOR

CITY CLERK

Schedule A to By-law 2020.395



EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.395

By-law 2020.395 rezones lands 5219 Upper Middle Road, 204 Georgina Court, 205 Georgina Court, Block 262 & 263 - Plan 20M 824, to permit a residential development consisting of two detached dwellings, two semi-detached dwellings (4 units) and 14 townhouse units.

For further information regarding By-law 2020.395, please contact Suzanne McInnes of the City of Burlington Department of City Building at (905) 335-7600, extension 7555.