

**BY-LAW NUMBER 2020.406, SCHEDULE 'A' AND EXPLANATORY NOTE**

**THE CORPORATION OF THE CITY OF BURLINGTON**

**BY-LAW NUMBER 2020.406**

A By-law to amend By-law 2020, as amended; 1335-1355 Plains Road East  
File No.: 520-17/17

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-15-19 on March 25, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit 34 townhouse units;

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

1. Zoning Map Number 10-E 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 MXG to H-MXG-494.
3. PART 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#	H-MXG-494	Map 10-E	Resolution: PB-15-19
---	-----------	----------	----------------------

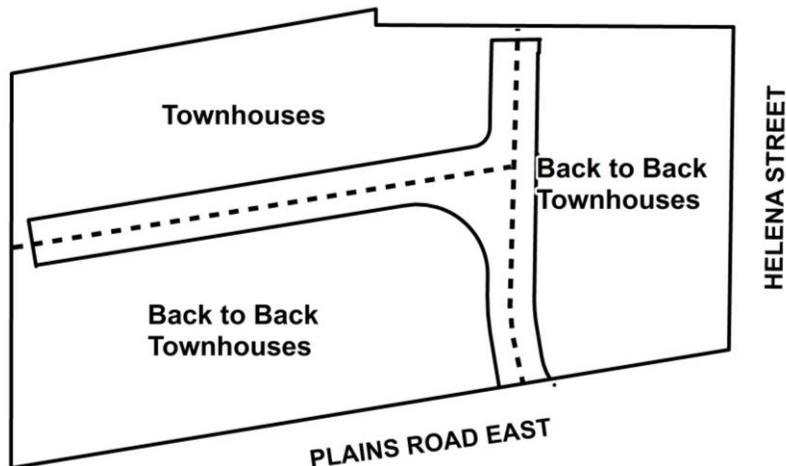
- The Owner has satisfied the Region of Halton's Protocol for Review of Contaminated and Potential Contaminated sites, by submitting a Ministry of the Environment and Climate Change acknowledged Record of Site Condition for 1335-1355 Plains Road East in accordance with Ontario Regulation 153/04, or the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use.
  - Obtain necessary permits required to undertake the realignment of Plains Road East and Helena Street to the satisfaction of the Director of Capital Works.
4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 494 as follows:

Exception 494	Zone H-MXG	Map 10-E	Amendment 2020.406	Enacted March 25, 2019
<b>1. <u>Permitted Uses</u></b>				
a) Prior to the removal of the Holding ('H') Provision, only existing uses are permitted.				
b) Following the removal of the Holding ('H') Provision, the following uses are permitted:				
<ul style="list-style-type: none"> <li>• Townhouses</li> <li>• Back-to-Back Townhouses</li> </ul>				
<b>2. <u>Regulations for Townhouses (Refer to Diagram 494)</u></b>				
a) Maximum Number of Units: 5				
b) Rear Yard: 1.5 m				
c) Yard abutting R3.1 Zone: 7 m				
d) Maximum Height: 2 storeys up to 8.5m				
e) Landscape Buffer abutting R3.1 Zone: 1.5 m abutting townhouse units				
f) Occupant Parking for Accessible Unit: 1 space				
g) Balconies: Not permitted on second storey				
h) Visitor Parking: None required				
<b>3. <u>Regulations for Back-to-Back Townhouses (Refer to Diagram 494)</u></b>				
a) Maximum Number of Units: 29				
b) Yard abutting R3.1 Zone: 2 m to building wall 3 m to rooftop terrace				
c) Rear Yard: 1.4 m including rooftop terrace				
d) Maximum Height: 4 storeys up to 12.5 metres				
e) Landscape Buffer abutting R3.1 Zone: 1.5 m abutting back-to-back units, visitor parking and amenity area				
f) Visitor Parking: 7 spaces				
g) Privacy Area: Interior Units: 25 m <sup>2</sup> End Units: 20 m <sup>2</sup> abutting R3.1 Zone, 24 m <sup>2</sup> all other units				
h) Common Amenity Area: 100 m <sup>2</sup>				
Notwithstanding Part 16, Definitions, Back-to-Back Townhouse, a back-to-back townhouse building is permitted to contain 17 residential units having a maximum length of 58.5 metres.				

**4. Regulations Applicable to Entire Site**

- |  |  |
|--|--|
| a) Setback from Driveway or Parking Lot to Window of Habitable Room: | 0 m including visitor parking for townhouse units in individual driveways  |
| b) Loading Spaces:   | None Required  |
| c) Parking Space Setback from R3.1 Zone:                             | 2 m  |
| d) Driveway Length:  | 6 m, measured from back of curb, for driveways fronting onto public roads<br><br>6.5 metres, measured from back of curb, for driveways fronting onto private roads |
| e) Fence Height:   | 2.5 metres minimum abutting R3.1 Zone  |

Part 5, Mixed-Use Corridor Zones, Table 5.2.1, footnotes (o) and (p) do not apply.

**DIAGRAM 494**

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 25th day of March, 2019.

\_\_\_\_\_MAYOR

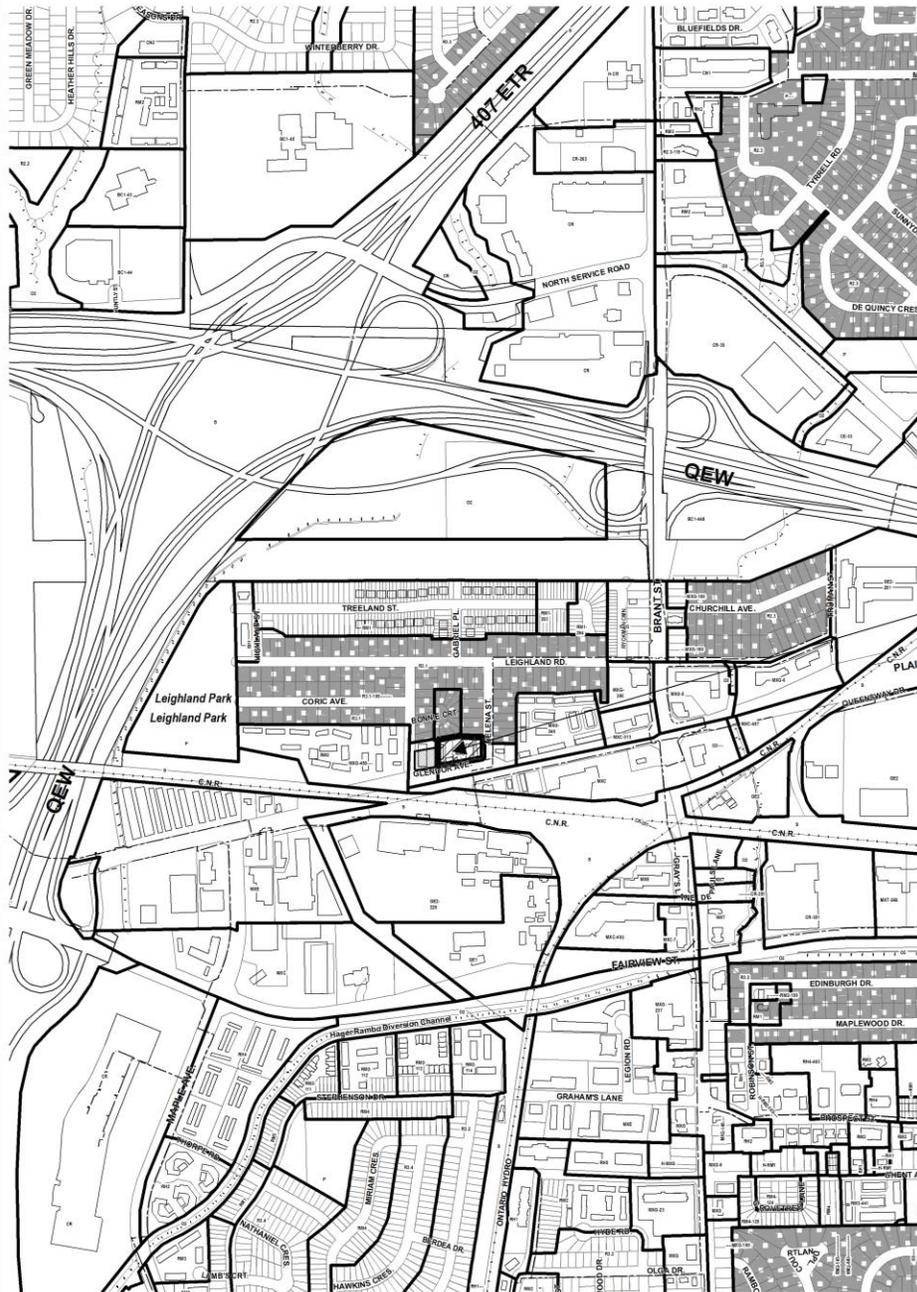
\_\_\_\_\_CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.406

By-law 2020.406 rezones lands on 1335-1355 Plains Road East, to permit a townhouse development.

For further information regarding By-law 2020.406, please contact Melissa Morgan of the Burlington City Building Department at (905) 335-7600, extension 7788.

# SCHEDULE "A"



 **AREA 'A'**  
 To be rezoned from  
 MXG to H-MXG-494

# 'A'

SCHEDULE 'A' TO BY-LAW 2020.xxx AMENDING MAP NO. 10E PART 15, BY-LAW 2020 AS AMENDED.  
 PASSED THE 25th DAY OF MARCH, 2019

MAYOR

CITY CLERK