

APPENDIX C to PB-32-19

DRAFT

BY-LAW NUMBER 2020.416, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.416

A By-law to amend By-law 2020, as amended; for the lands located at 2421-2431 New Street.

File No.: 520-02/18 & 505-02/18

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-32-19 on November 18, 2019, to amend the City's existing Zoning By-law 2020, as amended, to permit the development of an 11-storey retirement home building and an 11-storey residential apartment building;

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

1. Zoning Map Number 14-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 CN1 to H-RH4-503.
3. PART 11 of By-law 2020, as amended, Holding Zone Provisions, is amended by adding the following to Appendix 'A' Site Specific Requirements for Removal of an "H" Holding Symbol:

67	H-RH4-503	Map 14E	Resolution:
<p>The Holding symbol shall be removed from the zoning designation by way of an amending zoning by-law when the following has been completed:</p> <ul style="list-style-type: none"> • The Owner satisfies the Region of Halton’s Protocol for Reviewing Contaminated or Potentially Contaminated sites, by submitting a Ministry of the Environment, Conservation and Parks acknowledged Record of Site Condition; alternatively, that the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use, both of which is to the satisfaction of the Region of Halton and the City of Burlington’s Executive Director of Environment, Infrastructure and Community Services • The Owner submits an updated noise study to the satisfaction the City of Burlington’s Executive Director of Environment, Infrastructure and Community Services • The Owner submits an updated geotechnical report to the satisfaction the City of Burlington’s Executive Director of Environment, Infrastructure and Community Services 			

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 503 as follows:

Exception 503	Zone H-RH4	Map 14E	Amendment 2020.416	Enacted
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1. Only the following uses are permitted:

Retirement Home

Memory Care Units which are defined as: dwelling units serving the needs of residents with dementia, which do not include full culinary and sanitary facilities

Apartment Building

Community Institution on the first storey to a maximum of 540m²

2. Regulations for permitted uses:

For the purposes of calculating density, memory care units shall be exempt
Floor Area Ratio for the retirement home is not applicable

Maximum density for retirement home:	234 units per hectare
Maximum density for apartment building:	207 units per hectare
Maximum building height:	11 storeys for Buildings 1 and 2 as shown on Diagram 503

Building connection between Buildings 1 and 2 shall be located on the 6th and 7th storeys and include a rooftop amenity area accessible from the 8th storey.

Loading spaces: 2

Front Yard:

Storeys 1-5:	5m to building wall
Storeys 6-11:	8m to building wall

Storeys 2-6:	3.5m to balcony and overhang
Storeys 8-11:	6.5m to balcony and overhang

Side Yard:

Storeys 1-5:	7.5m to building wall
Storeys 6-11:	10m to building wall

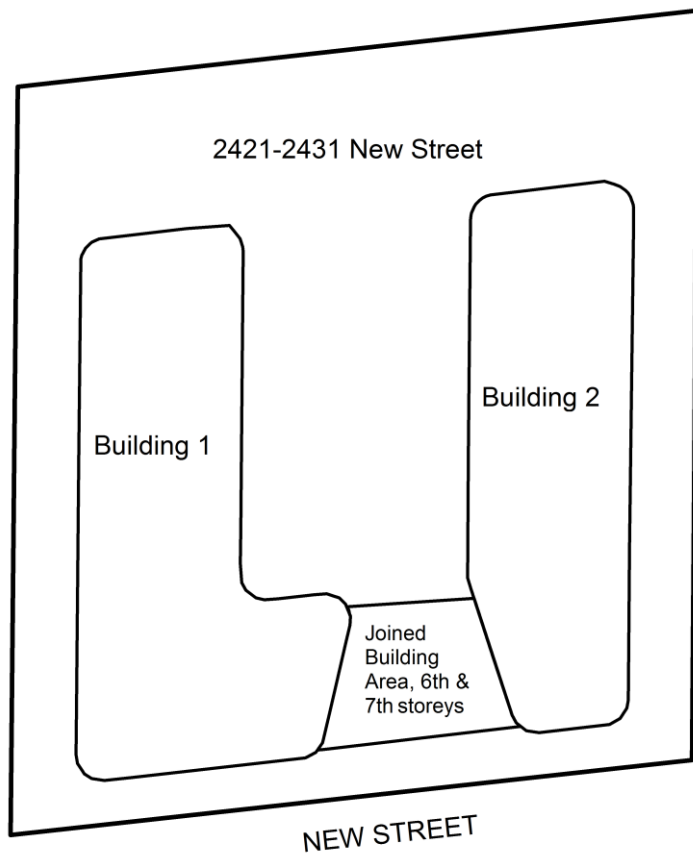
Storeys 2-6:	6.0m to balcony and overhang
Storeys 8-11:	7.5m to balcony and overhang

Exception 503	Zone H-RH4	Map 14E	Amendment 2020.416	Enacted										
Rear Yard abutting north property line / low density residential zone:														
<table> <tr> <td data-bbox="175 304 430 346">Storeys 1-6:</td> <td data-bbox="430 304 1443 346">19.1m to building wall</td> </tr> <tr> <td data-bbox="175 346 430 388">Storeys 7-10:</td> <td data-bbox="430 346 1443 388">31.2m to building wall</td> </tr> <tr> <td data-bbox="175 388 430 420">Storey 11:</td> <td data-bbox="430 388 1443 420">36.5m to building wall</td> </tr> </table>					Storeys 1-6:	19.1m to building wall	Storeys 7-10:	31.2m to building wall	Storey 11:	36.5m to building wall				
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<table> <tr> <td data-bbox="175 420 430 462">Storeys 2-6:</td> <td data-bbox="430 420 1443 462">17.8m to balcony</td> </tr> <tr> <td data-bbox="175 462 430 504">Storey 7:</td> <td data-bbox="430 462 1443 504">20.2m to rooftop amenity area railing</td> </tr> <tr> <td data-bbox="175 504 430 546">Storeys 8-10:</td> <td data-bbox="430 504 1443 546">29.7m to balcony</td> </tr> <tr> <td data-bbox="175 546 430 588">Storey 11:</td> <td data-bbox="430 546 1443 588">32.7m to balcony</td> </tr> <tr> <td data-bbox="175 588 430 640"></td> <td data-bbox="430 588 1443 640">35m to overhang</td> </tr> </table>					Storeys 2-6:	17.8m to balcony	Storey 7:	20.2m to rooftop amenity area railing	Storeys 8-10:	29.7m to balcony	Storey 11:	32.7m to balcony		35m to overhang
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Storey 11:	32.7m to balcony													
	35m to overhang													
Landscape Buffer abutting north property line: 5.5m														
Landscape Area abutting New Street: 0m														
Setback of parking area and driveways from north property line: 16m														
Setback of underground parking structure: <table> <tr> <td data-bbox="175 913 998 955">East:</td> <td data-bbox="998 913 1443 955">3m</td> </tr> <tr> <td data-bbox="175 955 998 997">West:</td> <td data-bbox="998 955 1443 997">3m</td> </tr> <tr> <td data-bbox="175 997 998 1039">North:</td> <td data-bbox="998 997 1443 1039">5.5m</td> </tr> <tr> <td data-bbox="175 1039 998 1081">South:</td> <td data-bbox="998 1039 1443 1081">3m</td> </tr> </table>					East:	3m	West:	3m	North:	5.5m	South:	3m		
East:	3m													
West:	3m													
North:	5.5m													
South:	3m													
Accessory structure setbacks: 6m from rear and side lot lines														
<u>Parking Rates:</u>														
<u>Apartment Building</u>														
Occupant: <table> <tr> <td data-bbox="175 1375 779 1417">1 space/ 1-bedroom unit</td> </tr> <tr> <td data-bbox="175 1417 779 1480">1.25 spaces/ 2-bedroom unit</td> </tr> </table>					1 space/ 1-bedroom unit	1.25 spaces/ 2-bedroom unit								
1 space/ 1-bedroom unit														
1.25 spaces/ 2-bedroom unit														
Visitor: 0.2 spaces/ unit														
Maintenance: 1 space/ 75 units														
Accessible: <table> <tr> <td data-bbox="175 1648 779 1690">3% of required occupant parking</td> </tr> <tr> <td data-bbox="175 1690 779 1732">3% of required visitor parking</td> </tr> </table>					3% of required occupant parking	3% of required visitor parking								
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3% of required visitor parking														
<u>Retirement Home</u>														
Occupant/Employee: 0.6 spaces/ unit														
Visitor: 0.25 spaces/ unit														

Exception 503	Zone H-RH4	Map 14E	Amendment 2020.416	Enacted
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Maintenance:	1 space/ 50 units
Accessible:	10% of required occupant parking 10% of required visitor parking
<u>Memory Care Units</u>	
Visitor/Employee:	0.35 spaces/bed
Accessible:	1 space
<u>Community Institution</u>	
Users:	1 space/ 4 persons capacity
Accessible:	10% of required parking

Diagram 503:



Exception 503	Zone H-RH4	Map 14E	Amendment 2020.416	Enacted
<p>3. Community Benefits pursuant to Section 37 of the Planning Act: <i>(to be added prior to by-law approval)</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

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 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 201 .

_____MAYOR

_____CITY CLERK

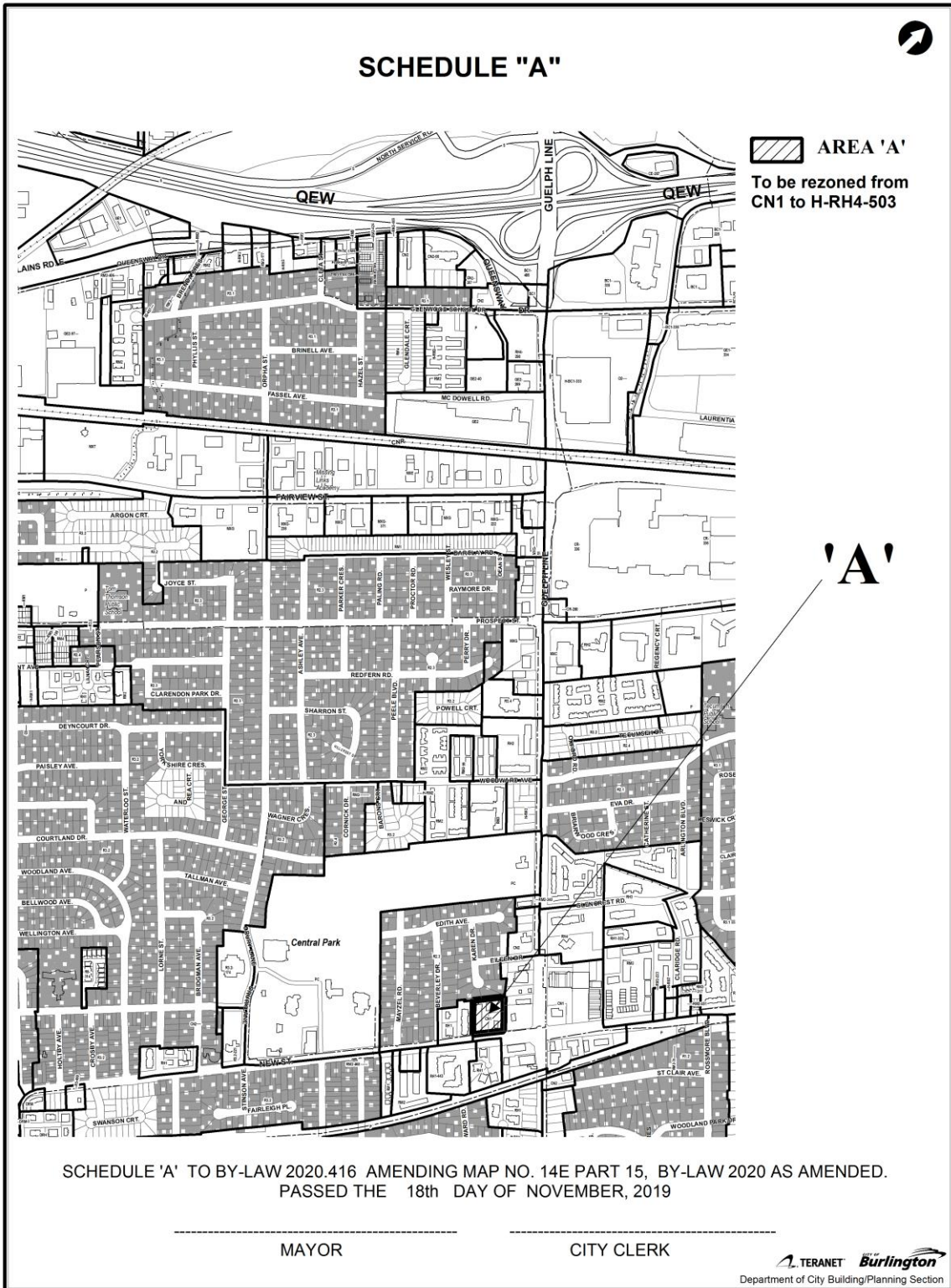
EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.416

By-law 2020.416 rezones lands at 2421-2431 New Street to allow for the development of two (2) 11-storey buildings including a retirement home building and a residential apartment building. A community institutional use is also permitted on the ground floor of one building on the site. A Holding Zone is required to ensure that site contamination issues can be resolved to the satisfaction of the Region of Halton and the City of Burlington, and to ensure that all noise and geotechnical studies have been completed to the satisfaction of the City of Burlington.

For further information regarding By-law 2020.416, please contact Lauren Vraets of the Burlington City Building Department at (905) 335-7600, extension 7536.

SCHEDULE 'A' TO ZONING BY-LAW 2020.416

SCHEDULE "A"



SCHEDULE 'A' TO BY-LAW 2020.416 AMENDING MAP NO. 14E PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE 18th DAY OF NOVEMBER, 2019

MAYOR

CITY CLERK