

# APPENDIX E - Proposed Zoning By-law Amendment 2020.418

## APPENDIX E

### **BY-LAW NUMBER 2020.418, Schedule 'A' AND EXPLANATORY NOTE**

#### **THE CORPORATION OF THE CITY OF BURLINGTON**

#### **BY-LAW NUMBER 2020.418**

A By-law to amend By-law 2020, as amended;  
File No.: 502-02-71

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 report PL-01-20 on January 30, 2020, for city-initiated amendments to Zoning By-law 2020, as amended, to implement the findings of the Interim Control By-law Land Use Study.

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

1. PART 5 of Zoning By-law 2020, as amended, Mixed-Use Corridor Zones, Section 2 – Permitted Uses, Table 5.2.1, Community, be amended by:
  - (i) inserting “✓” for Community Institution under MXT column
2. PART 5 of Zoning By-law 2020, as amended, Mixed-Use Corridor Zones, Section 2 – Permitted Uses, Table 5.2.1, Residential, be amended by:
  - (i) deleting “✓ (n)” for Stacked Townhouse under the MXT column
  - (ii) deleting “✓ (o)” for Back-to-Back Townhouse under the MXT column
  - (iii) deleting “✓ (p)” for Townhouse under the MXT column
3. Part 5 of Zoning By-law 2020, as amended, Mixed-Use Corridor Zones, Section 2 – Permitted Uses, Footnotes to Table 5.2.1, first line of (m) Additional regulations for the MXT zones, be amended by:
  - (i) deleting “All retail commercial, service commercial, hospitality, entertainment and recreational uses in an MXT zone are subject to a maximum floor area per use of 500 m<sup>2</sup>.”, and replacing it with “All retail commercial with the exception of Convenience/Specialty

## APPENDIX E - Proposed Zoning By-law Amendment 2020.418

Food Store uses, service commercial, hospitality, entertainment, community institution and recreational uses in an MXT zone are subject to a maximum floor area per use of 500 m<sup>2</sup>. Convenience/Specialty Food Store uses in an MXT zone are subject to a maximum floor area per use of 1000 m<sup>2</sup>.”

4. PART 5 of Zoning By-law 2020, as amended, Mixed-Use Corridor Zones, Section 4.5 – Building Height, MXT Zone, be amended by:
- (i) Deleting the words “All uses: 2 storey minimum, no maximum” and replacing with the following:

All uses: 2 storey minimum, no maximum  
Notwithstanding the above maximum height provision for the MXT Zone, within 10 m of Fairview Street, Drury Lane and Brant Street streetlines, a maximum building height of 6 storeys is permitted.

- (ii) Deleting “In MXG, MXC, and MXT zones” and replacing it with “In MXG and MXC zones”.

5. PART 5 of Zoning By-law 2020, as amended, Mixed-Use Corridor Zones, Section 4.6 – Parking, be amended by:

- (i) Inserting a new Subsection (i) as follows:  
“(i) Bicycle Parking: Bicycle Parking for Residential and Entertainment uses in MXT zones, shall be provided in accordance with Table 5.4.3.”

- (ii) Inserting Table 5.4.3

**Table 5.4.3**

<b>Use</b>	<b>Required Bicycle Parking (a) (b) (c)</b>
Residential	0.05 short term bicycle parking spaces per unit 0.5 long term bicycle parking spaces per unit
Entertainment	2 short term bicycle parking spaces plus 1 short term bicycle parking space/1000 m <sup>2</sup> of GFA 2 long term bicycle parking spaces plus 1 long term bicycle parking space/1000 m <sup>2</sup> of GFA

- (iii) Inserting “Footnotes to Table 5.4.3”

## APPENDIX E - Proposed Zoning By-law Amendment 2020.418

“For the purpose of these regulations:”

“(a) Long term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees or tenants of a building, and must be located in a building.”

“Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker.”

“(b) Short term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.”

“(c) Each bicycle parking space shall be 60 cm x 1.8 m in size.”

6. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, EXCEPTION 351, be amended by:

- (i) Inserting the words “Notwithstanding the above maximum building height provision, within 10 m of Fairview Street and Brant Street streetlines, a maximum building height of 6 storeys is permitted.” after the fifth line of Section 4, Regulations for all other permitted uses, Subsection Height and Density.
- (ii) Deleting the words “The gross floor area of each upper storey of a building containing more than one storey must be at least 50% of the gross floor area of the first storey”.
- (iii) Inserting “Bicycle parking shall be provided in accordance with Part 1, Subsection 2.26 (10), Table 1.2.8 and Part 5, Subsection 4.6, Table 5.4.3 of this By-law.” after the first line of Subsection Parking:

7. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, EXCEPTION 386, be amended by:

- (i) Inserting “14. Part 5, Subsection 4.6, Table 5.4.3, bicycle parking shall not apply.” after item 13.

**APPENDIX E - Proposed Zoning By-law Amendment 2020.418**

**ENACTED AND PASSED** this .....day of ..... 2020 .

\_\_\_\_\_MAYOR

\_\_\_\_\_CITY CLERK

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### EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.418

By-law 2020.418 is a by-law that will amend the City's Zoning By-law 2020, as amended, for lands in proximity to the Burlington GO Station, for the purposes of implementing the findings of the City's Interim Control By-law Land Use Study.

For further information regarding By-law 2020.418, please contact Rosa Bustamante of the Burlington City Building Department at (905) 335-7600, extension 7504.