



SUBJECT: Character Area Studies and Site Plan Approval for Low Density Residential Areas

TO: Community and Corporate Services Committee

FROM: Planning and Building Department

Report Number: PB-70-16

Wards Affected: All

File Numbers: 502-02-1, 505-08-04

Date to Committee: September 12, 2016

Date to Council: October 3, 2016

Recommendation:

Endorse the amendments to the official plan, as contained in Appendix A, which relate to the implementation of the Roseland, Indian Point, and Shoreacres Character Studies.

Endorse the amendments to the zoning bylaw, as contained in Appendix B, which relate to the implementation of the Roseland, Indian Point, and Shoreacres Character Studies, along with the elimination of the site plan process for low density residential areas.

Endorse the amendments to the site plan bylaw, as contained in Appendix D, which relate to eliminating the requirement for site plan approval in low density residential areas.

Direct the Director of Planning and Building to provide public notice in accordance with the *Planning Act* prior to bringing the amendments forward for enactment at a statutory public meeting.

Direct the Executive Director of Capital Works to amend the Site Alteration Bylaw to include the review of grading and drainage matters in low density residential areas and bring forward for enactment at the above noted statutory public meeting.

Purpose:

The purpose of this report is to:

1. Consolidate the proposed zoning, official plan, and site plan by-law amendments considered by reports PB-03-16 (Site Plan Process), PB-14-16 (Roseland and

- Indian Point Character Study), and PB-15-16 (Shoreacres Character Study) into one report;
2. Highlight refinements to the proposed amendments since the above reports were presented to council on February 17, 2016;
 3. Outline the elimination of the site plan process for low density residential areas; and
 4. Identify next steps for public notice and statutory public meeting.

The proposed recommendations align with the following objective in Burlington's Strategic Plan 2015-2040:

A City that Grows

- Intensification
 - 1.2.e: Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.

Background and Discussion:

Reports PB-03-16 (Site Plan Process), PB-14-16 (Roseland and Indian Point Character Study), and PB-15-16 (Shoreacres Character Study) were presented to the Development and Infrastructure Committee on February 17, 2016.

The purpose of the above noted reports was to summarize the findings from the character studies and discuss the elimination of the site plan process for low density residential areas.

The development industry has reacted positively to the notion of eliminating the site plan process for low density residential areas in exchange for additional zoning regulations.

Residents of Roseland and Shoreacres communities have generally reacted positively to the findings of the character studies, while some from the Indian Point community have expressed concerns with any proposed changes to the regulatory framework applicable to their community.

Consolidation of official plan and zoning bylaw amendments

There are overlapping themes and concepts among the three character studies and the elimination of the site plan process for low density residential areas. As such, the corresponding staff reports (PB-03-16, PB-14-16, and PB-15-16) were presented to the

Development and Infrastructure Committee at the same time (February 2016) to ensure a consistent and informed discussion on each topic.

The reports all recommended various interconnected amendments to the official plan and zoning bylaw. As council endorsed the findings from all three character studies and the site plan report, the next step for staff was to merge them into one omnibus document to facilitate public notification and council enactment.

Appendix A and B of this report are a consolidation of the proposed official plan and zoning by-law amendments resulting from the character studies and elimination of site plan process for low density residential areas.

Refinements of Proposed Amendments

In addition to consolidating the recommendations from the February 17, 2016 reports, staff have been refining the findings from the character studies to ensure successful implementation.

Proposed Official Plan Amendments

Key refinements to the proposed official plan policies from the February 17, 2016 reports include:

- Elimination of the proposed definitions for Compatible, Massing, and Neighbourhood;
- Streamlining of the proposed definitions to Neighbourhood Character Area, Neighbourhood Character, and Scale;
- Streamlining of the proposed site specific character area policies;
- Streamlining of the proposed General Policies for Neighbourhood Character Areas;
- Reorganization of certain proposed General Policies for Neighbourhood Character Areas into Implementation policies for evaluating minor variance applications.

These refinements will help to limit potential conflicts with other non-character area related policies of the current Official Plan and, with respect to the definitions of compatible, massing and neighbourhood, allow for these to be reviewed comprehensively as part of the broader Official Plan Review.

However, despite the above noted editorial amendments, the general intent of the proposed Official Plan policies found in Appendix A of this report remain the same as originally identified in the February 17, 2016 reports.

Proposed Zoning By-law Amendments

Key refinements to the proposed zoning bylaw amendments from the February 17, 2016 reports include:

- Revision of the proposed side yard setbacks for Roseland and Indian Point to correlate with lot width as opposed to building height;
- Creation of a lot coverage requirement for 1 ½ storey dwellings in designated areas;
- Revision of the proposed floor area ratio so that it is uniform for all low density residential areas excluding Lakeshore/Northshore Corridor (but including Indian Point Character Area);
- Revision of the dwelling depth requirement so that it is applied to all low density residential areas excluding Lakeshore/Northshore Corridor (but including Indian Point Character Area);

The above noted revisions and creation of zoning regulations is a result of staff consultation with the building industry and further consideration of the Lakeshore Road / Northshore Boulevard corridor. The general intent of the proposed zoning bylaw amendments found in Appendix B of this report remain the same as originally identified in the February 17, 2016 reports.

Elimination of Site Plan Approval in Low Density Residential Areas

The site plan process for single and semi-detached dwellings in low density residential areas will be eliminated (see Appendix D) in exchange for more restrictive zoning by translating the urban design guidelines from the site plan process for low density residential areas into zoning regulations where possible. Urban design and private boundary vegetation in low density residential areas will no longer be reviewed by staff. Boundary vegetation is regulated by the Forestry Act and any future issues with boundary vegetation will be a civil matter between neighbours. Low density residential areas will only be subject to zoning, grading and drainage review.

The zoning review of single and semi-detached dwellings in low density residential areas will occur through the existing zoning clearance certificate process. To facilitate the grading and drainage review of low density residential development, the Capital Works department is developing an amendment to the city's site alteration bylaw that will provide site engineering staff with the authorization to review and enforce grading and drainage approvals for low density residential areas.

The zoning and site alteration permit processes will be harmonized to implement an efficient and predictable customer service delivery for low density residential areas. This will also ensure a proactive approach to City Building by aligning with Council's Strategic Plan Priorities and the Official Plan work program.

Next Steps

Should Council endorse the proposed official plan and bylaw amendments recommended in this report, staff will have the public notice and formal amendments to

the official plan, zoning by-law, site plan by-law, and site alteration by-law prepared so that the statutory public meeting will occur at the next council cycle for enactment.

As part of the transition strategy, staff are notifying applicants for low density residential development of the proposed amendments so that they can prepare for the changes and decide if they would like to wait for them to be enacted or apply under the current regulatory framework. A notice of the recommended amendments has been sent to all mailing lists from the character studies, placed at the Planning front counter, and posted on the city website to help communicate the proposed changes.

The proposed amendments are an interconnected suite of tools to support established low density residential areas. Once the proposed amendments clear the appeal period following council approval, in accordance with the *Planning Act*, they will all come into effect and be implemented immediately. Development applications submitted prior to council enactment of the proposed amendments will be reviewed under the regulatory framework in effect at that time.

Financial Matters:

All character studies have been completed within their allocated budgets.

Total Financial Impact

Elimination of the site plan process for low density residential areas will reduce site plan revenues as detailed in PB-03-16 presented in February this year. The elimination of the site plan process for low density residential areas would be replaced by applications for zoning and site engineering certificates. The fee for a site engineering certificate, when combined with the zoning certificate application fee, will cover the costs for staff effort and offset most of the decreased site plan revenue for the city.

Source of Funding

Not Applicable

Other Resource Impacts

Eliminating site plan approval for low density residential areas will allow site plan staff to focus on other key city building priorities.

Public Engagement Matters:

The contents of this report have been discussed with the Burlington Housing and Development Liaison Committee (HDLC) to provide a status update since the February

17, 2016 reports and outline next steps. The character study webpages have been updated with the proposed amendments and all mailing lists from the character studies have been notified of such. Public notice for this report has been provided in the newspaper which included an invitation for a drop in session to discuss the proposed amendments prior to presentation to committee.

Conclusion:

This report consolidates the refined findings from the character studies and the strategy to eliminate the site plan process for low density residential areas. Together, they recommend a refocusing of our regulatory framework to be more proactive in supporting established low density residential areas and enhance customer service delivery.

Respectfully submitted,

Jamie Tellier, Manager of Urban Design, x7892

Rosa Bustamante, Special Business Area Co-ordinator, x7259

Andrea Smith, Manager of Policy and Research, 7385

Appendices:

- a. Official Plan Amendments
- b. Zoning Bylaw Amendments
- c. Supporting Graphics for the Proposed Zoning Bylaw Amendments
- d. Site Plan Bylaw Amendment

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix A: Proposed Official Plan Amendments

1. Part VIII, Definitions, Neighbourhood Character, is added with the following:

Neighbourhood Character - The collective physical qualities and characteristics which are prevalent in a *Neighbourhood Character Area* and which define its distinct identity, and includes a range of built form and design elements which coexist without adverse impact within the *Neighbourhood Character Area*.

2. Part VIII, Definitions, Neighbourhood Character Area, is added with the following:

Neighbourhood Character Area - A residential neighbourhood identified in the Zoning By-law, which shares physical qualities and characteristics that collectively provide a distinct and recognizable character that is different from neighbouring areas.

3. Part VIII, Definitions, Scale, is added with the following:

Scale - The proportion of a building or building element created by the placement and size of the building or element in comparison with adjacent buildings or building elements and to human dimension.

4. Part III, Land Use Policies – Urban Planning Area, Section 2.2.3 Site Specific Policies, is amended by adding the following subsections n) and o):

2.2.3 Site Specific Policies

- n) Indian Point is a distinct historic *Neighbourhood Character Area* characterized by its lakeside location; few streets; large and mature tree canopy; spacious properties separated by large open spaces between houses and a variety of architectural styles. New *development* should protect and enhance these *neighbourhood character* elements.
- o) Roseland is a distinct *Neighbourhood Character Area* defined by its garden-like setting with large and mature trees, and homes with varied and unique architectural styles. Lots are spacious with dwellings that are well proportioned in relation to the property size and having a *scale* that is *compatible* with adjacent dwellings and which reinforces the open space character. Streets within the *Neighbourhood Character Area* contain wide landscaped boulevards and street lamps that complement the *neighbourhood character* of the private properties. New *development* should protect and enhance these *neighbourhood character* elements.

5. Land Use Policies – Urban Planning Area, Section 2.2.4 Neighbourhood Character Areas, is added with the following:

2.2.4 Neighbourhood Character Areas

- a) *Neighbourhood Character Areas* play an important role in the City's Urban Structure by defining specific neighbourhoods where only limited, *compatible* development is anticipated. All *development and re-development* within a defined *neighbourhood character area* shall be consistent with the *neighbourhood character*.

2.2.4.1 Objectives

- a) To maintain, protect and enhance *neighbourhood character* by ensuring that *development and re-development* within *neighbourhood character areas* is consistent with the *neighbourhood character*;
- b) To manage change in *neighbourhood character areas* through appropriate development applications; and,
- c) To maintain and improve the urban forest in *neighbourhood character areas* through the enhancement and/or replacement of trees.

2.2.4.2 General Policies

- a) *Neighbourhood Character Areas* shall be identified in the City's Zoning By-law;
- b) City Council may add or delete *neighbourhood character areas* or alter the boundaries of existing *neighbourhood character areas* from time to time through further amendment to the Zoning By-law without need for an official plan amendment;
- c) Notwithstanding the policies of Part III, Subsections 2.2.2, b) and c) of this Plan, permitted uses within *neighbourhood character areas* shall be restricted to single-detached dwellings;
- d) Proposed *development* should respect the existing *neighbourhood character* by incorporating built form, architectural features, building separations, lot coverage and landscape elements that are prevalent in the *neighbourhood character area*; and
- e) All healthy mature trees should be preserved and replanting should be required where loss of significant trees occurs.

6. Part VI, Implementation, Section 4.2 Minor Variance Policies, is hereby amended by adding the following subsection c):

- c) In commenting to the Committee of Adjustment on minor variance applications involving single detached dwellings or new lot creation in *neighbourhood character areas*, the City shall ensure that the following is considered:
- (i) The proposed *development* shall achieve consistency with *neighbourhood character*;
- (ii) On properties that are located at the end of a terminating street, dwellings should be designed and located to reinforce a framed focal point;

- (iii) Proposed developments located on corner lots should create a strong connection to both streetscapes through attractive facades and landscaping facing each street;
- (iv) The minimum lot widths and areas of proposed new lots in *neighbourhood character areas shall* meet or exceed the average lot width and lot area of residential lots containing single detached dwellings which front onto both sides of the same street within 120 m of the subject property.

Appendix B: Proposed Zoning By-law Amendments

1. Part 1 – General Conditions and Provisions, Section 2.3 Patios, Decks, Balconies, and Porches – Residential, Section 2.3.2 is hereby amended by adding subsection (b):
 - b) Decks located above the first storey in the side and rear yard of detached dwellings are not permitted.
2. Part 1 – General Conditions and Provisions, Section 2.3 Patios, Decks, Balconies, and Porches – Residential, Section 2.3.3 is hereby amended by adding subsection (a):
 - a) Balconies located above the first storey in the side and rear yard of detached dwellings are not permitted.
3. Part 1 – General Conditions and Provisions, Section 2.24 Driveway Widths and Landscape Open Space Area, Section 2.24 2) is amended by adding subclause (c):
 - c) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps, only one driveway is permitted for each residential property including corner lots.
4. Part 1 – General Conditions and Provisions, Section 2.24 Driveway Widths and Landscape Open Space Area, Section 2.24 is amended by renumbering subsection 3) to 4):
5. Part 1 – General Conditions and Provisions, Section 2.24 Driveway Widths and Landscape Open Space Area, Section 2.24 is amended by adding a new subsection 3):
 - 3) Driveways shall be a minimum of 6m in length.
 - a) For dwelling units within a plan of condominium, driveway lengths shall be 6.7m in length measured from back of curb to front of garage.
6. Part 1 – General Conditions and Provisions, Section 2.24 Driveway Widths and Landscape Open Space Area, Section 2.24 4) is amended by adding subclause (h):
 - h) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps, regardless of lot width, shall be subject to subsection (e) above. Circular and hammerhead driveways are subject to subsections (f) and (g) above.

7. Part 1 – General Conditions and Provisions, Section 2.31 Residential Building Height, Footnotes to Table 2.31.1 is amended by replacing footnote (a) as follows:

- a) Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this building height regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

8. Part 2 – Residential Zones, Section 4 R1, R2, R3 Zone Regulations, Table 2.4.1 is amended by adding Footnote (d) to the R1.2 and R2.1 zones:

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R1.2	24 m	925 m ²	9 m	9 m (c)	(a) (d)	9 m
R2.1	18 m	700 m ²	11 m	10 m (c)	(a) (d)	4.5 m

9. Part 2 – Residential Zones, Footnotes to Table 2.4.1 is hereby amended by adding the following subsection (d):

- (d) Properties located within the Roseland and Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps:

With attached garage or carport:

Lots under 17m in width: 10% of actual lot width

Lots between 17-25m in width: 12% of actual lot width

Lots greater than 25m in width: 15% of actual lot width up to a maximum of 5 m

Without attached garage or carport:

Lots under 17m in width: 10% of actual lot width, 3 m minimum on the side with a driveway

Lots between 17-25m in width: 12% of actual lot width, 3 m minimum on the side with a driveway

Lots greater than 25m in width: 15% of actual lot width, 3 m minimum on the side with a driveway

10. Part 2 – Residential Zones, Section 4 R1, R2, R3 Zone Regulations, Table 2.4.1 is amended by adding Footnote (e) and (f) to the R2.1 zone:

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R2.1	18 m	700 m ²	11 m (e) (f)	10 m (c)	(a) (d)	4.5 m

11. Part 2 – Residential Zones, Section 4 R1, R2, R3 Zone Regulations, Footnotes to Table 2.4.1 is amended by adding Footnote (e) and (f):

- (e) Properties located on the west side of Indian Road as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps shall have a front yard of 4 m.
- (f) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps with an R2.1 zone shall have a front yard of 9m.

12. Part 2 – Residential Zones, Section 4 R1, R2, R3 Zone Regulations, Table 2.4.1 is amended by adding Footnote (g) and to the R2.4 zone:

Zone	Lot Width	Lot Area	Front Yard	Rear Yard	Side Yard	Street Side Yard
R2.4	16 m	600 m ²	6 m	9m (c)	(b) (g)	4.5 m

13. Part 2 – Residential Zones, Section 4 R1, R2, R3 Zone Regulations, Footnotes to Table 2.4.1 is amended by adding Footnote (g):

- (g) Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps shall have a side yard subject to footnote (a) above.

14. Part 2 – Residential Zones, Section 4.2, Lot Coverage, Table 2.4.3, All Dwellings in Designated Areas, is amended to include one and a half storey dwellings:

All Dwellings in Designated Areas (b) (c)	35% for one storey dwellings including accessory buildings	27% for one storey dwellings plus 8% for accessory buildings
	30% for one and a half storey dwellings including accessory buildings	22% for one and a half storey dwellings plus 8% for accessory buildings
	25% for all other dwelling types including accessory buildings	17% for all other dwelling types plus 8% for accessory buildings

15. Part 2 – Residential Zones, Section 4.2, Lot Coverage, Table 2.4.3, footnote (c) is amended by replacing footnote (c) as follows:

Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this lot coverage regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

16. Part 2 – Residential Zones, is hereby amended by adding the following subsection 4.5 Floor Area Ratio:

4.5 Floor Area Ratio

- a) The maximum floor area ratio is 0.45:1.
- b) Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this floor area ratio regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

17. Part 2 – Residential Zones, is hereby amended by adding the following subsection 4.6 Dwelling Depth:

4.6 Dwelling Depth

- a) Maximum depth of a dwelling shall be 18m measured from building wall closest to front lot line to building wall closest to rear lot line.

Note - Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North

Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.9 Character Area Maps) shall be exempt from this dwelling depth regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.

18. Part 2 – Residential Zones, is hereby amended by adding the following subsection
4.7 Architectural Features:

4.7 Architectural Features

- a) On building elevations facing a street, the height of columns and windows on the first storey shall not exceed the height of the ceiling of the first storey.

19. Part 2 – Residential Zones, is hereby amended by adding the following subsection
4.8 Garages:

4.8 Garages

- a) The width of a front loading attached garage shall not exceed 50% of the width of its building elevation.
b) An attached garage with a garage door facing the street is not permitted to project beyond the front wall on the first storey of a dwelling.

20. Part 2 – Residential Zones, is hereby amended by adding the following subsection
4.9 Character Area Maps:

4.9 Character Area Maps

- a) Roseland Character Area
b) Indian Point Character Area
c) Shoreacres Character Area

21. Part 15 – Zoning Maps, are amended to include the boundaries of the Roseland, Indian Point, and Shoreacres Character Areas.

22. Part 15 – Zoning Maps, are amended to include the Indian Point Character Area and Shoreacres Character Area as a designated area for lot coverage.

23. Part 16 – Definitions, Floor Area Ratio – Low Density Residential is added with the following:

Floor Area Ratio – Low Density Residential

The mathematical relationship between building floor area and lot area, determined by dividing the floor area of a building (including garage) by the net area of that lot.

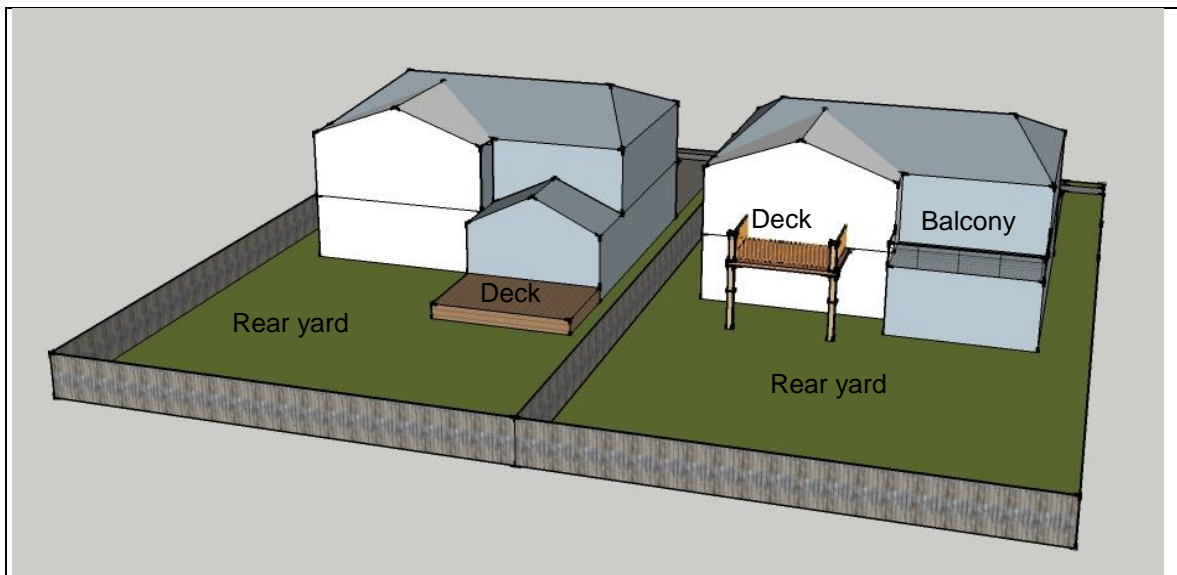
Appendix C: Supporting Graphics for the Proposed Zoning By-law Amendments

The following proposed zoning regulations are graphically illustrated below:

- Balcony Regulations
- Front Yard Setbacks
- Lot Coverage
- Floor Area Ratio
- Architectural Features
- Garage Widths and Projections

Proposed Balcony Regulations:

Balconies located above the first storey in the side and rear yard of detached dwellings are not permitted.

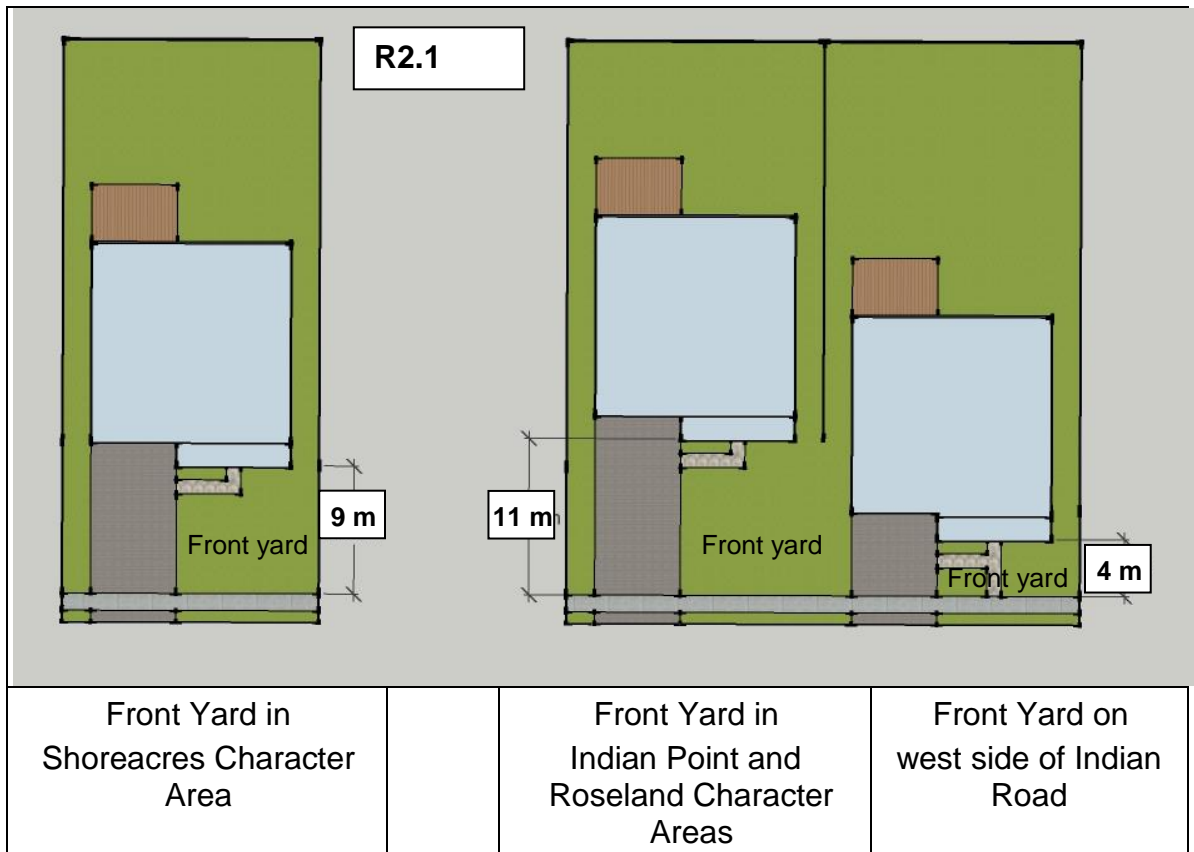


YES	NO
Deck located below the first storey in the rear yard	Deck or balcony located above the first storey in the rear yard

Proposed Front Yard Setback Regulations:

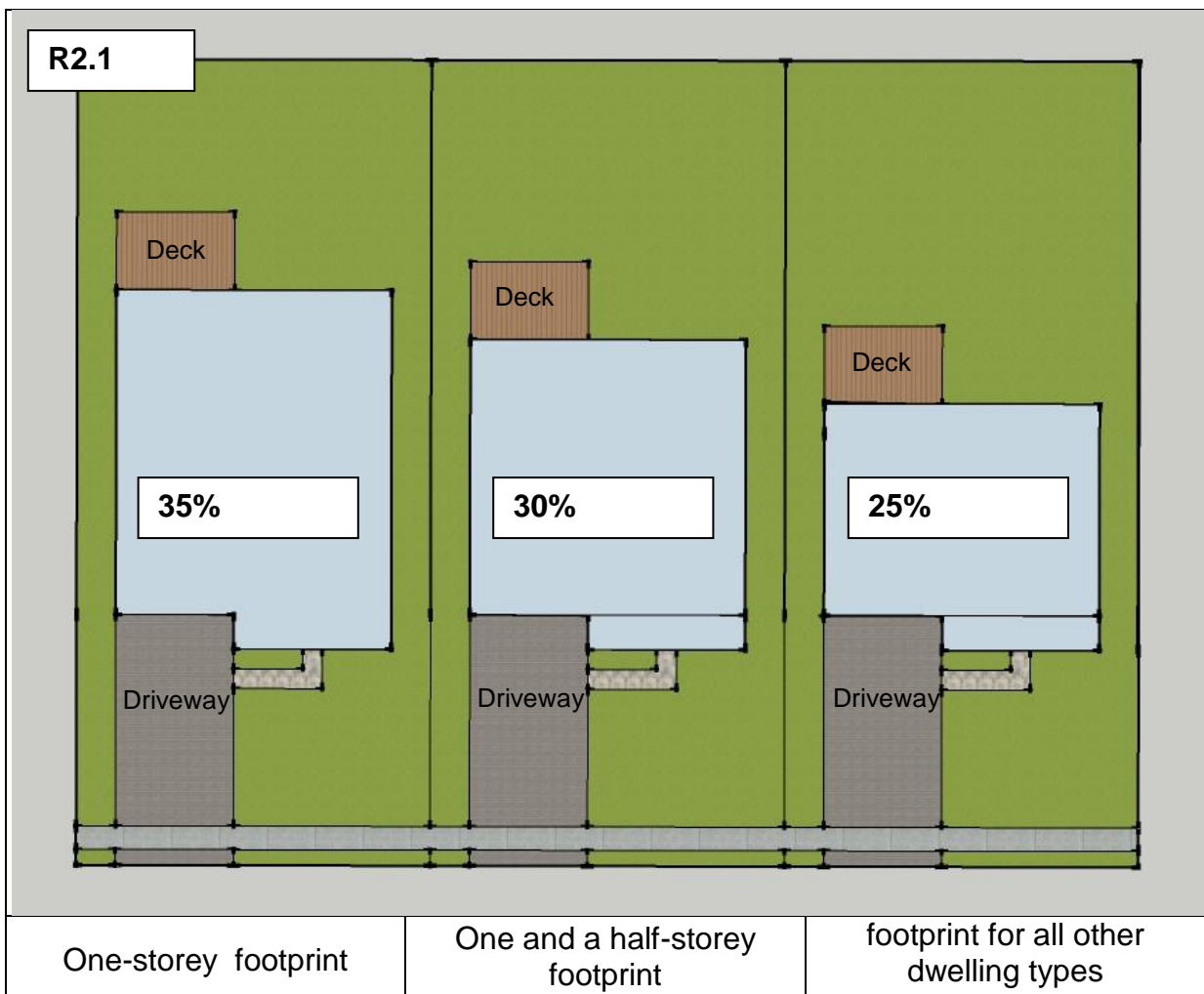
Properties located on the west side of Indian Road as identified in Part 2 – Residential Zones, Section 4.10 Character Area Maps shall have a front yard of 4 m.

Properties located within the Shoreacres Character Area as identified in Part 2 – Residential Zones, Section 4.10 Character Area Maps with an R2.1 zone shall have a front yard of 9m.



Proposed Lot Coverage Regulations

<p>All Dwellings in Designated Areas (b) (c)</p>	<p>35% for one storey dwellings including accessory buildings</p> <p>30% for one and a half storey dwellings including accessory buildings</p> <p>25% for all other dwelling types including accessory buildings</p>	<p>27% for one storey dwellings plus 8% for accessory buildings</p> <p>22% for one and a half storey dwellings plus 8% for accessory buildings</p> <p>17% for all other dwelling types plus 8% for accessory buildings</p>
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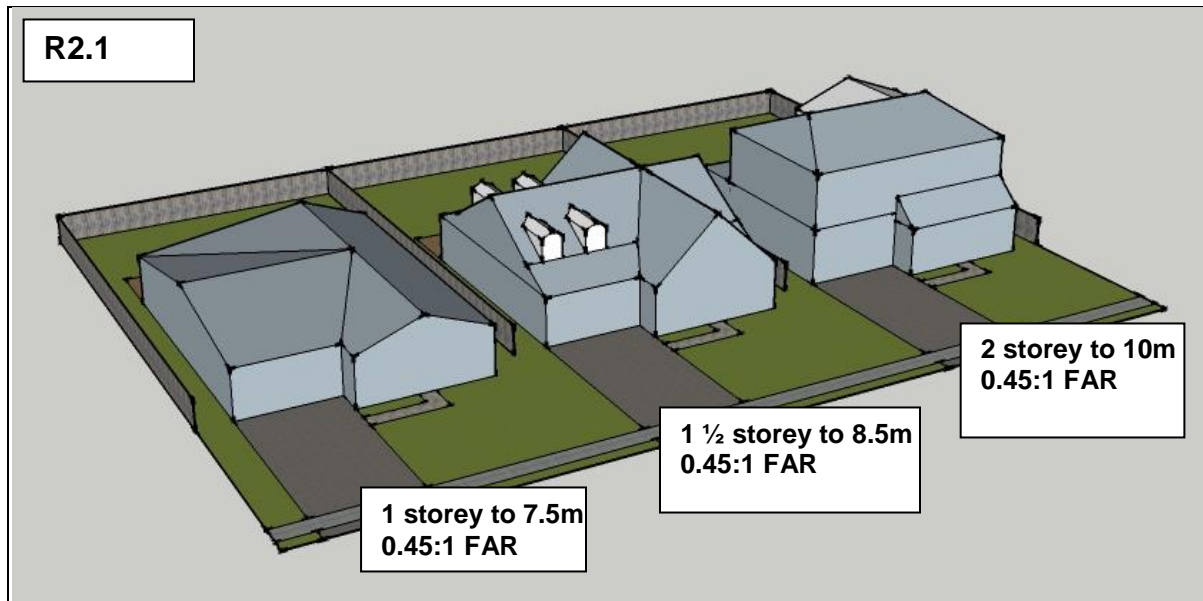


Proposed Floor Area Ratio Regulations:

Floor Area Ratio

The maximum floor area ratio is 0.45:1.

Properties with a front or street side yard abutting Lakeshore Road and North Shore Boulevard and all properties south of Lakeshore Road and North Shore Boulevard (excluding Indian Point Character Area as identified in Part 2 – Residential Zones, Section 4.10 Character Area Maps) shall be exempt from this floor area ratio regulation. For through lots, the front building elevation shall determine the front of the lot for the purposes of this regulation.



Proposed Architectural Feature Regulations:

On building elevations facing a street, the height of columns and windows on the first storey shall not exceed the height of the ceiling of the first storey.

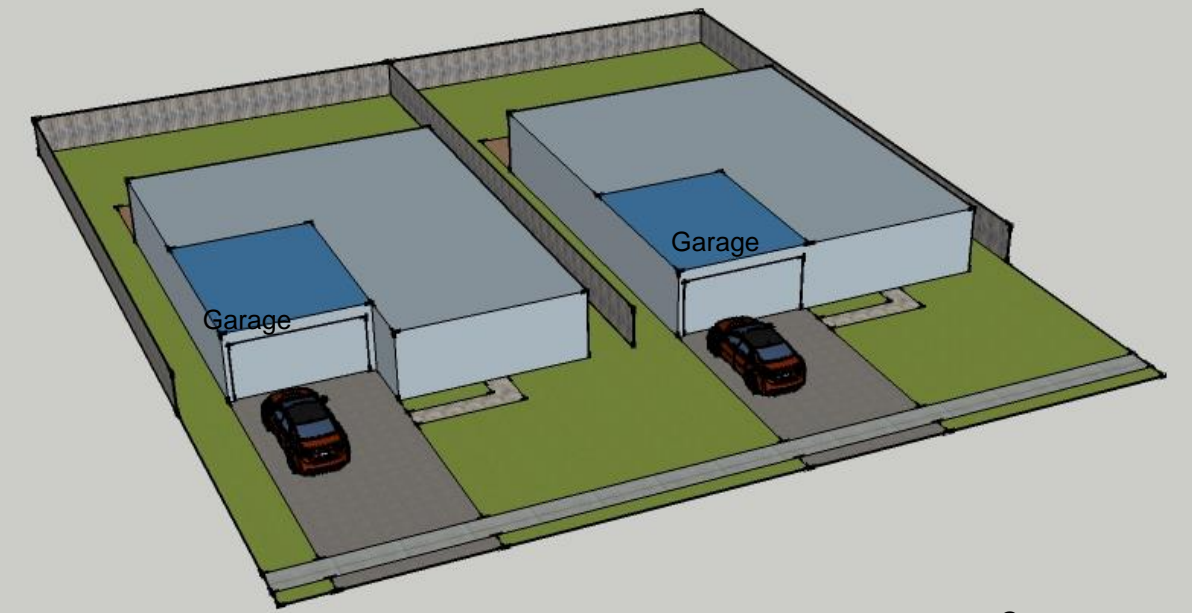
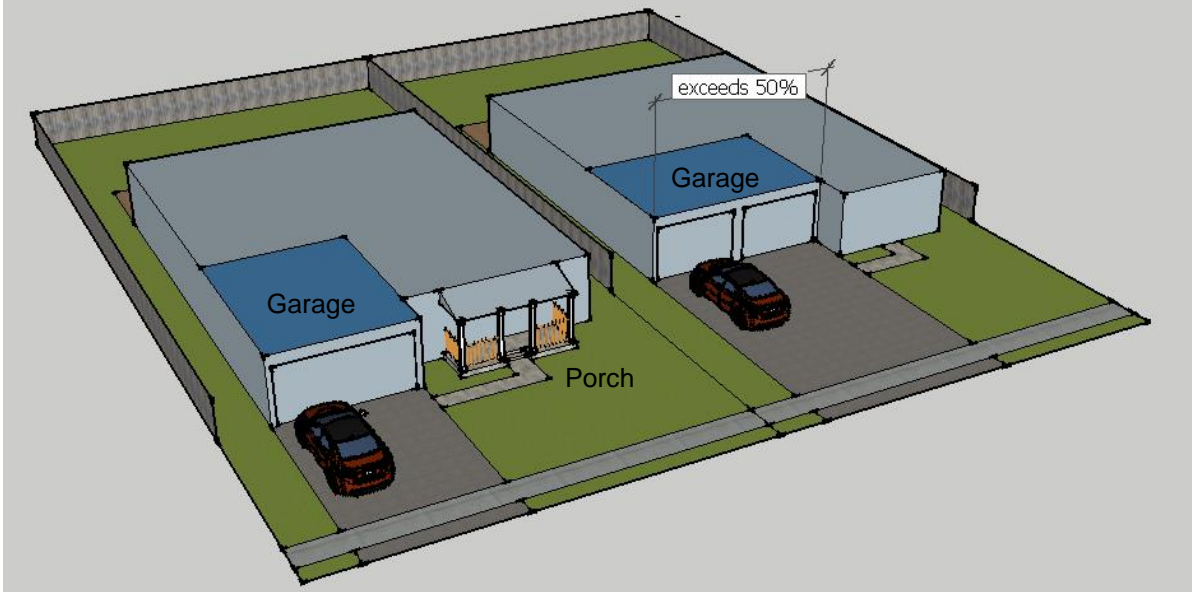


<p>NO</p>	<p>NO</p>
<p>Columns exceeding the height of the ceiling of the first storey</p>	<p>Columns exceeding the height of the ceiling of the first storey</p>

Proposed Garage Width and Projection Regulations

The width of a front loading attached garage shall not exceed 50% of the width of its building elevation.

An attached garage with a garage door facing the street is not permitted to project beyond the front wall on the first storey of a dwelling.

	
YES	YES Garage
Garage door does not project beyond the front wall on the first storey	
	
NO	NO
Garage door projects beyond the front wall on the first storey (does not include porch)	Garage door exceeds 50% of the width of the building elevation

Appendix D: Site Plan Bylaw Amendment

**THE CORPORATION OF THE CITY OF BURLINGTON
BY-LAW NUMBER XX-2016**

A By-law pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended;

WHEREAS subsection (13) (b) of Section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13, empowers the council of a municipality which has designated a site plan control area to delegate to either a committee of the council or to an appointed officer of the municipality identified in the by-law either by name or position occupied, any of the council's powers or authority under Section 41, except the authority to define any class or classes of development;

AND WHEREAS the Council of the Corporation of the City of Burlington has designated the whole of the City of Burlington as an area of site plan control by by-law;

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

1. The powers and authority of the Council of the Corporation of the City of Burlington pursuant to subsections (4), (5), and (7) of Section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13, and any amendments or successors thereto, are hereby delegated as follows:
 - (a) the Council's powers and authority respecting development of detached dwellings and semi-detached dwellings including accessory structures as defined in the City of Burlington By-law 2020, as amended, are delegated to the Chief Building Official for the City of Burlington.

ENACTED AND PASSED thisday of 2016.

_____ MAYOR

_____ CITY CLERK