



**SUBJECT:** City-initiated housekeeping amendments to Zoning By-law 2020

**TO:** Community Planning, Regulation & Mobility Cttee.

**FROM:** Community Planning Department

Report Number: PL-75-22

Wards Affected: 2, 5

File Numbers: 520-03-02/22

Date to Committee: December 6, 2022

Date to Council: December 13, 2022

---

**Recommendation:**

Approve the proposed amendments to Zoning By-law 2020 as outlined in community planning department report PL-75-22; and

Enact By-law 2020.446 as outlined in Appendix B to community planning report PL-75-22; and

Enact By-law 2020.447 as outlined in Appendix C to community planning report PL-75-22.

**PURPOSE:**

This report recommends City-initiated general amendments to Zoning By-law 2020 addressing general matters of accuracy and clarity.

**Vision to Focus Alignment:**

- Increase economic prosperity and community responsive city growth
-

## Background and Discussion:

Earlier this year, City Council added/amended the following site-specific zoning exceptions to Zoning By-law 2020:

- **Exception 513**  
*(By-law 2020.440; Enacted May 17, 2022; File no.: 520-10/19 ([PL-31-22](#)))*  
 Rezoned the lands at 2294 & 2300 Queensway Drive (Ward 2) from RM2 to RM3 with a Site-Specific Exception (Exception 513) to allow 16 townhouse dwellings and 8 back-to-back townhouse dwellings.
- **Exception 452**  
*(By-law 2020.443; Enacted July 12, 2022; File No.: 520-13/21 (PL-51-22)).*  
 Amended Exception 452, for the lands at 5030-5045 Tico Creek Common (Ward 5), to permit an increase in the maximum building area as well as to expand retail store permissions for the two proposed one-storey buildings on the west side of the site directly abutting and fronting onto Appleby Line.

It has recently come to staff's attention that updates are required to the above mentioned zoning exceptions so that the by-law remains accurate and clear while providing consistency for implementation and enforcement. The identified modifications are minor and considered to be of a housekeeping nature.

Table 1 presents the proposed amendments to Zoning By-law 2020 and staff's explanation for context.

**TABLE 1 – PROPOSED ZONING BY-LAW AMENDMENTS**

PROPOSED ZONING BY-LAW AMENDMENT		STAFF EXPLANATION
<b>Part 14 – Exceptions to Zone Classifications</b>		
1. Ward 2 - 2294 & 2300 Queensway Drive	Amend Exception 513, Subsection 1, Regulations for Entire Site (Refer to Diagram 513), Regulations for Townhouse Dwellings, as follows:  i. Add: "l) Maximum Building Height: 3 storeys up to 10 m"	To correct an oversight in the by-law regarding maximum permitted building height for townhouse dwellings by specifying height as discussed and approved in the original staff recommendation report ( <a href="#">PL-31-22</a> ; see pages 17, 18 and 29).
2. Ward 2 - 2294 & 2300 Queensway Drive	Amend Exception 513, Subsection 1, Regulations for Entire Site (Refer to Diagram 513), Regulations for Back-to-Back Townhouses:  i. Delete: "l)" and replace with "m)"  ii. Delete "m)" and replace with "n)"	To update list numbers resulting from Item 1 of the proposed amendment (see row above).

	<p>iii. Delete “n” and replace with “o)”</p> <p>iv. Delete “o)” and replace with “p)”</p> <p>v. Delete “p)” and replace with “q)”</p>	
3. Ward 5 - 5030-5045 Tico Creek Common	<p>Amend Exception 452, Subsection 3, Regulations for the entire site, iii), as follows:</p> <p>i. Delete “Maximum Retail Floor Area: 860 m<sup>2</sup>” and replace with “Maximum combined Floor Area for Buildings A and B: 860 m<sup>2</sup>”</p>	To correct an error in the by-law regarding maximum permitted floor area for the two buildings fronting onto Appleby Line as discussed and approved in the original staff recommendation report ( <a href="#">PL-51-22</a> ; see pages 18 to 22).
4. Ward 5 - 5030-5045 Tico Creek Common	<p>Amend Exception 452, Subsection 4, Regulations, ii) Building A:</p> <p>i. Delete “Maximum Floor Area: 560 square metres”</p>	To correct an error in the by-law regarding maximum permitted floor area for the two buildings fronting onto Appleby Line as discussed and approved in the original staff recommendation report ( <a href="#">PL-51-22</a> ; see pages 18 to 22).
5. Ward 5 - 5030-5045 Tico Creek Common	<p>Amend Exception 452, Subsection 4, Regulations, iii) Building B:</p> <p>i. Delete “Maximum Floor Area: 300 square metres”</p>	To correct an error in the by-law regarding maximum permitted floor area for the two buildings fronting onto Appleby Line as discussed and approved in the original staff recommendation report ( <a href="#">PL-51-22</a> ; see pages 18 to 22).

## Financial Matters:

Not applicable

## Total Financial Impact

Not applicable

## Source of Funding

Not applicable

## **Other Resource Impacts**

Not applicable

---

## **Engagement Matters:**

In accordance with the policies of the City's Official Plan (1997, as amended) and the *Planning Act* for Zoning By-law amendments, notice of the subject public meeting was provided by way of a newspaper notice in the Burlington Post and by way of a mail notice to all property owners and tenants within 120 m of the subject lands thirty days prior to the public meeting. A letter outlining all of the proposed amendments was also sent to all relevant external agencies thirty days in advance of the public meeting.

---

## **Conclusion:**

The recommended City-initiated amendments to Zoning By-law 2020 will ensure that the by-law remains accurate and clear. The proposed amendments meet the intent of the Burlington Official Plan and conform to applicable Provincial Plans.

---

Respectfully submitted

Rebecca Lau, MCIP RPP

Planner II, 905-335-7600 ext.7860

Mariana Da Silva

Planner II, 905-335-7600 ext.7536

## **Appendices:**

- A. Location Sketches
- B. Zoning By-law 2020.446 (Queensway Drive)
- C. Zoning By-law 2020.447 (Tico Creek Common)

## **Notifications:**

Tasha Mazza, Waggy Inc. [Tasha@goldcourtddevelopments.com](mailto:Tasha@goldcourtddevelopments.com)

Glenn Wellings, Wellings Planning Consultants Inc. [glenn@wellingsplanning.ca](mailto:glenn@wellingsplanning.ca)

## **Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.