

The Corporation of The City of Burlington

By-Law Number 2020.452

A By-law to amend By-law 2020, as amended, for 441 Maple Avenue, for the purposes of facilitating the development of a mid-rise residential building  
File No.: 520-03/19 (PL-12-23)

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 PL-12-23, on March 21, 2023, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential building consisting of 140 units.

The Council of The Corporation of The City of Burlington hereby enacts as follows:

1. Zoning Map Number 9-A 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 DRH to DRH-517.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 517 as follows:

Exception 517	Zone DRH	Map 9-A	Amendment 2020.452	Enacted March 21, 2023
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**1. Only the following uses shall be permitted:**

Apartment building

**2. Regulations for Apartment Building**

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|---------------------------------------|--|
| a) Maximum Number of Dwelling Units:  | 140  |
| b) Front Yard:                        |  |
| i) Storeys 1 and 2:                   | 4.4 m  |
| ii) Storeys 3-9:                      | 7.4 m to building, 4.4 m to balcony                              |
| iii) Storey 10:                       | 29 m to building, 16 m to terrace                                |
| iv) Storey 11:                        | 29 m   |
| v) Storey 12:                         | 32 m   |
| vi) Below-Grade Parking Structure:    | 0.1 m  |
| c) Rear Yard:                         |  |
| i) Storey 1                           | 9.5 m  |
| ii) Storey 2-11:                      | 5.7 m including terraces / balconies                             |
| iii) Storey 12:                       | 18 m   |
| iii) Below-Grade Parking Structure:   | 0.1 m  |
| d) South Side Yard:                   |  |
| i) Storeys 1-12:                      | 4.5 m including terraces / balconies                             |
| ii) Below-Grade Parking Structure:    | 1.7 m  |
| e) North Side Yard:                   |  |
| i) Storeys 1-12:                      | 3 m including terraces / balconies                               |
| ii) Below-Grade Parking Structure:    | 0 m  |
| f) Maximum Height:                    | 12 storeys, including mechanical penthouse, up to 43.4 m maximum |
| g) Maximum Density:                   | 500 units per hectare  |
| h) Landscape Area abutting Maple Ave: | 0 m  |
| i) Required Parking:                  | 1.15 spaces per unit inclusive of visitor parking                |

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

4. 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;
- 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 Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

Enacted and passed this 21<sup>st</sup> day of March 2023.

Mayor Marianne Meed Ward \_\_\_\_\_

City Clerk Kevin Arjoon \_\_\_\_\_

## Explanation of Purpose and Effect of By-Law 2020.452

By-law 2020.452 rezones lands on 441 Maple Avenue, to permit a 12-storey residential building, including Mechanical Penthouse.

For further information regarding By-law 2020.452, please contact Melissa Morgan of the Burlington Community Planning Department at (905) 335-7600, extension 7788.

**AREA 'A'**

Area 'A' to be rezoned from DRH to DRH-517

**'A'**

SCHEDULE 'A' TO BY-LAW 2020.452 AMENDING MAP NO. 9A-W PART 15, BY-LAW 2020 AS AMENDED.  
PASSED THE 21st DAY OF March, 2023

MAYOR CITY CLERK

TERANET **Burlington**  
Department of City Building/Planning Section