

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.476

A By-law to amend By-law 2020, as amended; 276, 284 and 292 Plains Road
East

File No.: 520-08/21 (PL-36-24)

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 approved, on May 21, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit a residential building consisting of 141 units.

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

1. Zoning Map Number 5W and 6W 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 RM1-346 to MXG-542.
3. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:
#85 H-MXG-542 Maps 5W and 6W Resolution:

The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law following:

- a) That prior to any site alteration, servicing or grading of the site, the owner complies with O.Reg. 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region.

The submission of environmental reports/ documentation must be completed in accordance with O. Reg. 153/04, and signed and stamped (professional seal must be affixed) by (a) Qualified Person(s) as defined under O. Reg. 153/04. The author(s) of the environmental reports/ documentation submitted to the Region must also extend third party reliance to Halton Region. The letter of

reliance(s) must be signed by the author(s) and meet Halton Region's letter of reliance template, indicating that liability insurance coverage is no less than \$2,000,000.

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception 542 as follows:

Exception 542	Zone H-MXG	Map 5W and 6W	Amendment 2020.476	Enacted
1. Regulations for Apartment Building				
a)	Maximum Number of Dwelling Units:		141	
b)	Maximum Height:		7 storeys including mechanical penthouse, up to 22.6 m	
c)	Maximum Floor Area Ratio:		2.6:1	
d)	Yards Abutting a Residential Zone:			
	(i) East			
	Floors 1 to 7:		10.5 m, 9.3 m to balconies	
	Below-Grade Parking Structure:		0.2 m	
	(ii) West			
	Floors 1 to 7:		3 m, 1.8 m to balconies	
	Below-Grade Parking Structure:		1 m	
	(iii) Rear			
	Floors 1 to 3:		11.4 m	
	Floors 4 and 5:		11.4 m to 4 th floor terrace	
	Floor 6:		15 m to 6 th floor terrace	
	Floor 7:		18 m	
e)	Amenity Area:		23.8 m ² per unit	
f)	Landscape Buffer:			
	(i) East Yard:		4.2 m	
			A driveway, parking lot, below-grade parking structure, exhaust vent and seasonal snow storage may encroach into the required landscape buffer to a maximum cumulative length of 20 m.	
	(ii) West Yard:		3 m	
			A parking lot, below-grade parking structure, exhaust vent and seasonal snow storage may encroach into the required landscape buffer to a maximum cumulative length of 10 m.	
	(iii) Notwithstanding the definition of a Landscape Buffer, the West Yard landscape buffer shall be comprised of ornamental shrubs and/or trees. Solid screen fencing shall be required for all landscape buffers.			

g) Landscape Area Abutting a Street:

(i) Front Yard: 3 m, patios may encroach 1.7 m.
Transformer may encroach

h) Required Parking:

(i) Apartment Building: 1.00 parking spaces per dwelling unit
(ii) Visitor Parking: 0.08 parking spaces per dwelling unit

i) Bicycle Parking:

(i) Apartment Building: 0.05 short-term bicycle parking spaces per unit
0.5 long-term bicycle parking spaces per unit

j) For the purpose of Bicycle parking 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.
- b. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony or in a storage locker.
- c. Short term bicycle parking spaces are bicycle parking spaces for use by visitors to a building.
- d. Short term bicycle parking spaces are to be located close to the main pedestrian entrance and sheltered from the elements.
- e. Each bicycle parking space shall be 60cm x 1.8m in size.

k) Parking spaces may be setback 0 m from a window of a habitable room in a dwelling unit located on the ground floor.

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

ENACTED AND PASSED this 21st day of May, 2024

_____ MAYOR

_____ CITY CLERK

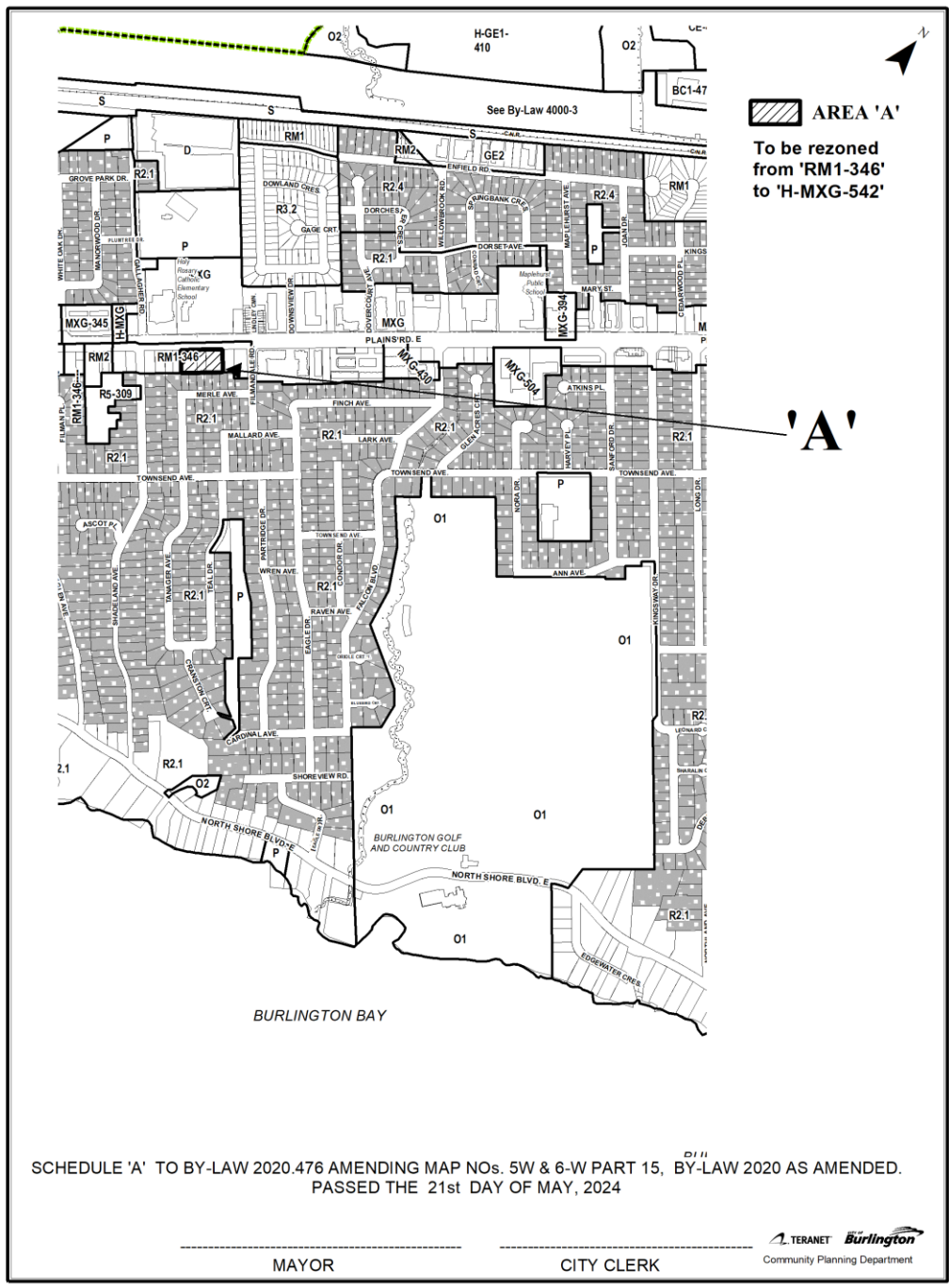
DRAFT

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.476

By-law 2020.476 rezones lands on 276, 284 and 292 Plains Road East, to permit a 7-storey residential building, including Mechanical Penthouse.

For further information regarding By-law 2020.476, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.

DRAFT



AREA 'A'
 To be rezoned
 from 'RM1-346'
 to 'H-MXG-542'

'A'

SCHEDULE 'A' TO BY-LAW 2020.476 AMENDING MAP NOS. 5W & 6-W PART 15, BY-LAW 2020 AS AMENDED.
 PASSED THE 21st DAY OF MAY, 2024

MAYOR

CITY CLERK

