

The Corporation of The City of Burlington

City of Burlington By-law 2020.478

A by-law to amend By-law 2020, as amended, to update parking standards for lands identified along the Fairview Street, Plains Road and Appleby Line Corridors
File No.: 520-06/24 (PL-45-24)

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 of the Corporation of the City of Burlington approved the Recommendations in report PL-45-24 on June 18, 2024, for city-initiated amendments to Zoning By-law 2020, as amended.

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

1. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, is further amended by replacing subsection 2.25.1 with the following:

“2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except for:

(a) those properties shown on “Diagram 1A: Downtown Parking Exemption Area”. For the development of a parcel of land partially or wholly contained within the Downtown Parking Exemption Area, Section 2.25 shall only apply to residential uses; and

(b) those properties shown on “Diagram 1B: Plains Road Corridor Residential Parking Exemption Area”, “Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area”, and “Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area”. For the development of a parcel of land partially or wholly contained within a Residential Parking Exemption Area Overlay Map, Section 2.25 shall only apply to non-residential uses.”

2. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements is further amended by adding the following new Residential Parking Exemption Area Overlay Maps, as shown on Diagrams 1B, 1C, and 1D, after “Diagram 1A: Downtown Parking Exemption Area”:

“Diagram 1B: Plains Road Corridor Residential Parking Exemption Area

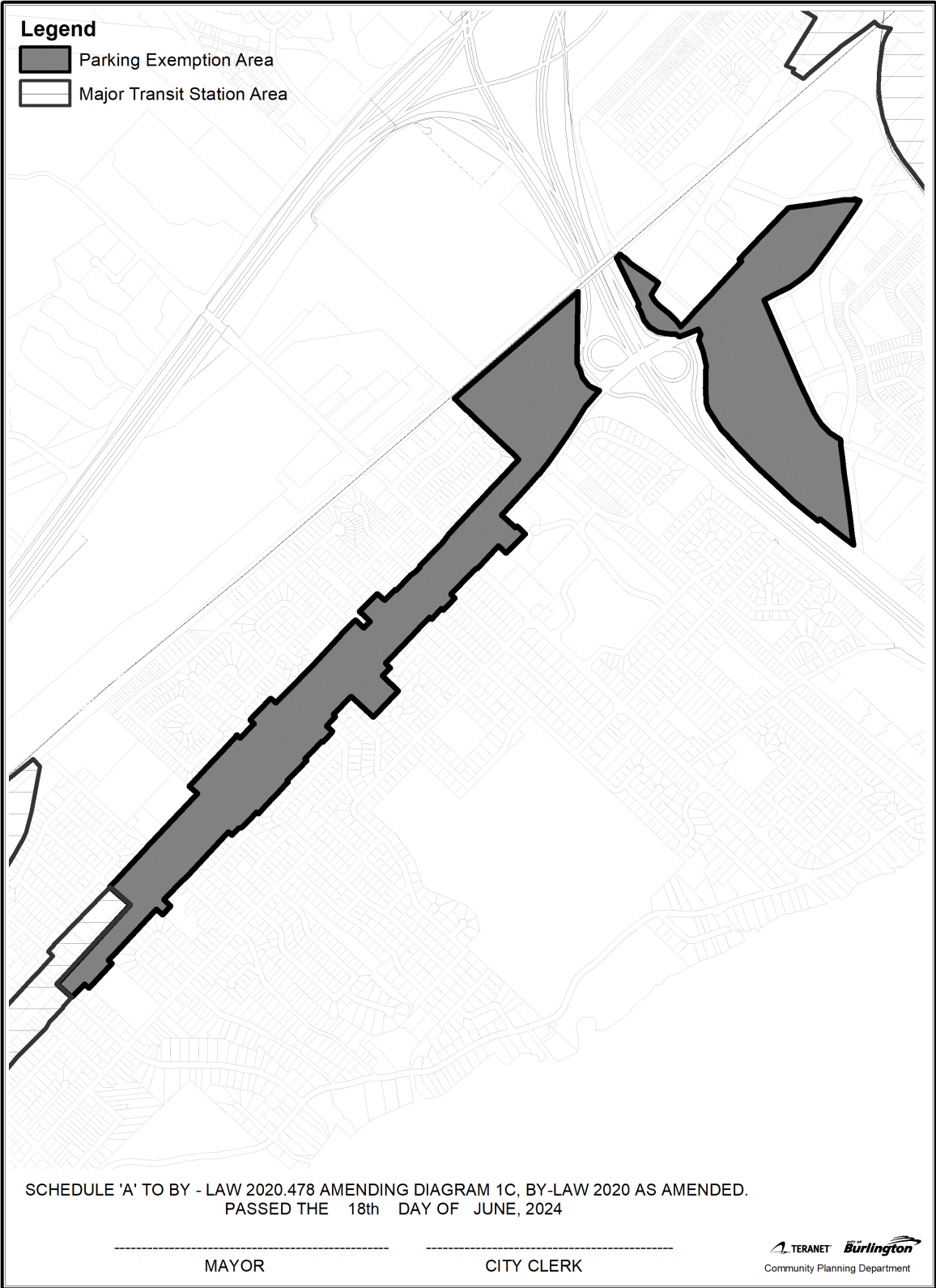


Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area



Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area



3. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, under the heading 'Parking Standard' is further amended by adding the following words after the words "Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" and "Within a Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" in Table 1.2.6:

“, except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D”

4. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.26 General Parking Provisions is further amended by replacing subsection 2.26(9) with the following:

“(9) **Accessible Parking Space Requirements**

Where off-street parking facilities are provided or required, as part of a new development, or whenever an existing development is enlarged, extended or increased in capacity, a minimum number of parking spaces clearly identified for the use of persons with disabilities shall be provided in accordance with Table 1.2.7.1:

Table 1.2.7.1 – Accessible Parking Space Rates

Provided (or required) parking spaces	Required number of accessible parking spaces	Required type of accessible parking space
Twelve parking spaces or fewer.	One parking space.	Type A
Between 13 and 100 parking spaces.	Four per cent of the total number of parking spaces, rounding up to the nearest whole number.	Where an even number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this table, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided. Where an odd number of parking spaces for the use of persons with disabilities are provided in accordance with the requirements of this table, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
Between 101 and 200 parking spaces.	One parking space plus an additional three per cent of the total number of parking spaces, rounding up to the nearest whole number.	
Between 201 and 1,000 parking spaces.	Two parking spaces plus an additional two per cent of the total number of parking spaces, rounding up to the nearest whole number.	
More than 1,000 parking spaces.	Eleven parking spaces plus an additional one per cent of the total number of parking spaces, rounding up to the nearest whole number.	

- (a) Notwithstanding Table 1.2.7.1, medical office and institutional uses shall provide a minimum of one accessible parking space; and where out-patient services are provided, the minimum of accessible parking spaces shall be 10 per cent of the provided or required parking, rounded up.
- (b) Notwithstanding PART 1, subsection 2.26(1), each accessible parking space shall provide minimum dimensions in accordance with Table 1.2.7.2, including an adjacent access aisle or space for the entire length of an accessible parking space that allows persons with disabilities to get in and out of their

vehicles, and shall be always readily accessible without obstructions for parking and removal of a motor vehicle without the necessity of moving any other vehicle or obstruction.

Table 1.2.7.2 - Accessible Parking Space Dimensions (Minimum)

Type of accessible parking space	Parking space width	Access aisle width	Parking space area (excluding access aisle)
Type A	3.4 m	2 m	20.4 m ²
Type B	2.75	2 m	16.5 m ²

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- PART 7 of Zoning By-law 2020, as amended, Uptown Mixed-Use Centre Zones, Section 4.5 Parking is further amended by adding the following words after the words "All Dwelling Units" in subsection 4.5 (a):

" , except for those properties identified in the Appleby Line Corridor Residential Parking Exemption Area shown on Diagram 1D and for Apartment Buildings within a Primary or Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on Nov. 30, 2020, and as may be further amended."

- PART 16 of Zoning By-law 2020, as amended, Definitions is further amended by deleting the definition of Accessible Parking Walkway in its entirety.
- PART 16 of Zoning By-law 2020, as amended, Definitions is further amended by amending the definition of Parking Lot by deleting the words "5 or more", so that it reads:

"Parking Lot

The total outdoor area of a lot used for the temporary parking of motor vehicles, daily or overnight, with or without compensation, for the accommodation of clients, customers, tenants, lessees, employees, or owners, but shall not include occupant parking spaces in the driveway of individual dwelling units."

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.

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 thisday of 2024.

_____MAYOR

_____CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.478

By-law 2020.478 amends Parts 1, 7 and 16 of the City's Zoning By-law 2020, as amended, for the purpose of removing minimum residential vehicle parking requirements for lands in the Fairview Street / Plains Road and Appleby Line corridors.

For further information regarding By-law 2020.478, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7777, extension 7954.