

APPENDIX – D

BY-LAW NUMBER 2020.480, SCHEDULE ‘A’ AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.480

A By-law to amend By-law 2020, as amended for 236 Plains Road East to a 4-storey condominium townhouse block consisting of 6 units on a private condominium road.

File No.: 520-02/24

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 Recommendation PL-52-24 on July 16, 2024, to amend the City’s existing Zoning By-law 2020, as amended, to permit the development of a 4-storey condominium townhouse block consisting of 6 units on a private condominium road;

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

- 1. Zoning Map Number 5-W 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 Residential Medium Density (RM1-346) to Residential Medium Density (H-RM2-543).
- 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:

#86.	H-RM2-543	Map 5-W	Resolution:
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law following:

- a) The owner submits a revised Arborist Report and Tree Preservation Plan outlining the mitigative work around trees 2, 3, 12-21, including, but not limited to, proposed noise wall/ fencing, retaining walls, and degree of canopy clearing/raising requirements to the satisfaction of the Manager of Urban Forestry.
- b) The owner submits a Pre-Construction Exploratory Root Investigation Report as part of the pre-building approval application prior to demolition and construction to the satisfaction of the Manager of Urban Forestry to confirm permit requirements and conditions.
- c) The owner submits a legal survey prepared by an Ontario Land Surveyor to confirm the exact location and ownership of trees 2, 3 & 21 relative to the existing property line to verify ownership any trunk encroachment on the neighbouring property to the satisfaction of the Manager of Urban Forestry.
- d) The owner submits a salvage plan for the following materials from the existing circa 1940 dwelling at 236 Plains Road East to the satisfaction of the Director of Community Planning:
 - a. The cut stone sills and aluminum window shutters;
 - b. The front door with leaded glass sidelights;
 - c. Interior doors and hardware, including wood doors and French door with etched glass;
 - d. Oak flooring, baseboards, and staircase components; and,
 - e. Cast iron radiators.
- e) A Residential Development Agreement is registered on title to the satisfaction of the Director of Community Planning.

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 543 as follows:

Exception 543	Zone H-RM2	Map 5-W	Amendment 2020.480	Enacted July 17/24
1) Additional Permitted Uses:				
a) Outdoor Amenity and Access on the 4 th storey of a Townhouse Building				
2) Regulations for a Townhouse Building:				
a) Lot Width:				30 m
b) Lot Area:				0.15 hectares

c) Maximum Building Height:	4 storeys and 13.75 m
d) Maximum 4 th storey Gross Floor Area:	13.1 m ²
e) Yards:	
i) Front (Plains Road East):	1.7 m
ii) Side (West):	9 m
iii) Side (East):	5 m
iv) Rear Yard:	8.2 m
f) Encroachments Into Yards:	
i) Maximum porch encroachment into the required side (west) yard:	1.5m
g) Maximum Number of Residential Units:	6 units
h) Landscape Area:	
i) Abutting a street having a deemed width greater than 26 m	1.7 m
i) Landscape Buffer:	
i) None required abutting a R2.1 zone / rear property line.	

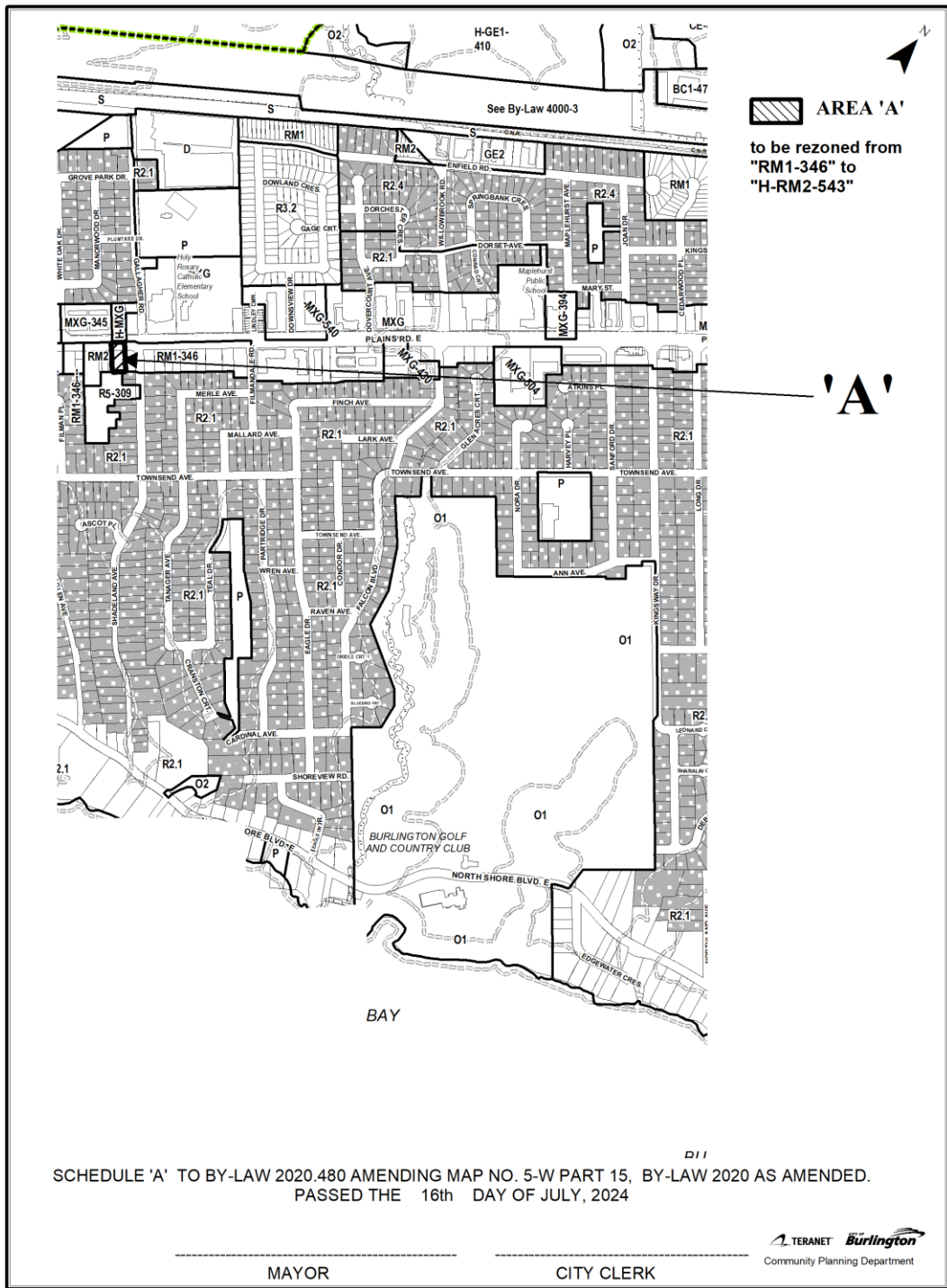
5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

5 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 thisday of 2024.

_____ MAYOR

_____ CITY CLERK



EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.480

By-law 2020.480 rezones lands on 236 Plains Road East, to permit a 4-storey townhouse block consisting of 6 units on a private condominium road.

For further information regarding By-law 2020.480, please contact Jaclyn Schneider, Planner, of the Burlington Community Planning Department at (905) 335-7600, extension 7326.

