

The Corporation of The City of Burlington

City of Burlington By-Law Number 2020.482

A By-law to amend By-law 2020, as amended for 484 Plains Road East to facilitate the development of phase 2 of two nine storey mixed use building and townhouse units.  
File No.: 520-07/24, PL-55-24

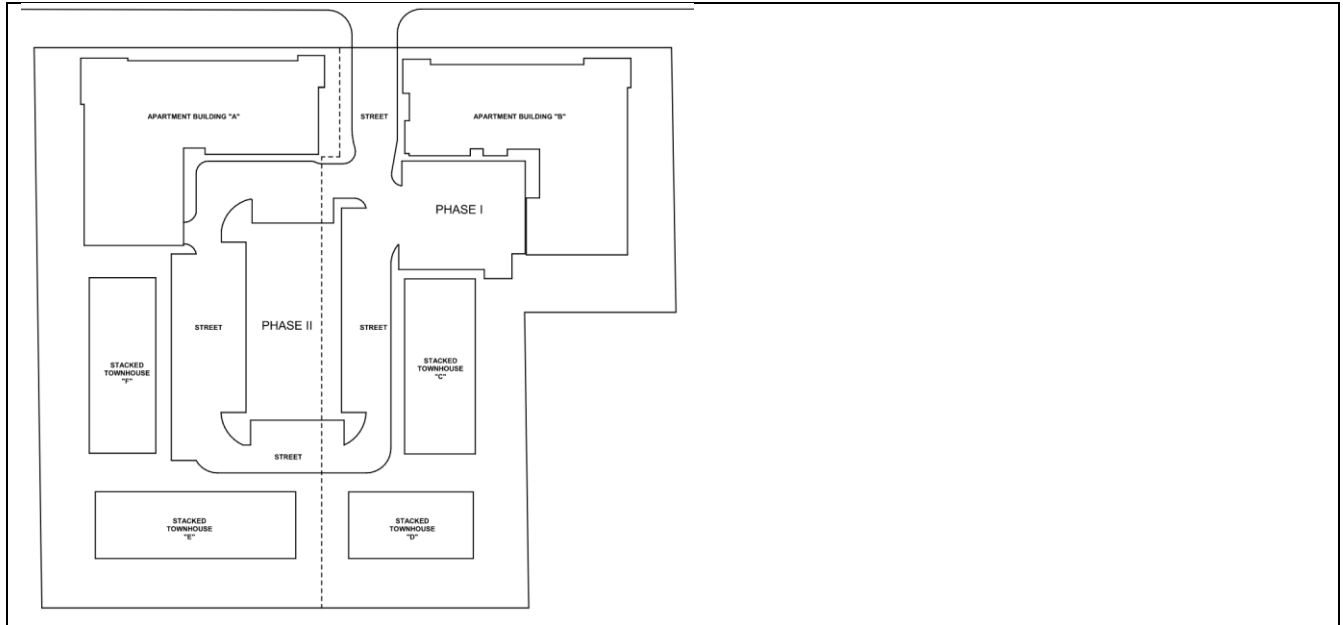
Whereas Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

Whereas the Council of the Corporation of the City of Burlington approved Recommendation PL-55-24 on August 7, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit a unit redistribution within a nine-storey mixed use building and stacked townhouse blocks as well as technical modifications;

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

1. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 504 as follows:

<b>Exception 504</b>	<b>Zone MXG-504</b>	<b>Map 5-W, 5-E</b>	<b>Amendment 2020.482 PL 180446</b>	<b>Enacted (LPAT) February 26, 2020</b>
<b>1. <u>Permitted Uses</u></b>				
a) Only the following uses shall be permitted: i) Apartment Building with Retail and Service Commercial and Office uses permitted on Ground Floor ii) Stacked Townhouse				



2. For the purposes of applying zoning regulations, the property zoned MXG-504 shall be considered one lot.

3. Regulations for Apartment Buildings

a) Maximum Number of Units:	319
b) Yard Abutting a Street:	
i) Balconies:	2.9 m
ii) Floor 9 (Rooftop Amenity and Mechanical Penthouse):	10 m
c) Yard Abutting a Residential Zone - East side:	
i) Floors 1-8:	10.8 m, 10.2 m to balconies
ii) Floor 9 (Rooftop Amenity and Mechanical Penthouse):	17.2 m
d) Yard Abutting a Residential Zone - West Side:	
i) Floors 1-8:	11.6 m, 11 m to balconies
ii) Floor 9 (Rooftop Amenity and Mechanical Penthouse):	17.5 m
e) Yard Abutting a Residential Zone South Side:	
i) Floors 1-6:	13.2 m including balconies
ii) Floors 7-8:	21 m, 18 m to terrace, 13.4 m to balconies
iii) Floor 9 (Rooftop Amenity and Mechanical Penthouse):	35 m
f) Maximum Height:	9 storeys up to 34.1 m

g) Dwelling Units:	Not permitted on the 9 <sup>th</sup> floor.
h) Maximum Rooftop Amenity excluding Mechanical Penthouse:	500 m <sup>2</sup>
i) Non-Residential Parking	3.5 spaces/100m <sup>2</sup> of Gross Floor Area at grade only (can be shared with visitor parking including designated accessible spaces)
j) Residential Parking for Phase 1: i) Occupant Parking: ii) Visitor Parking:	1 space/unit 0.25 spaces/unit
k) Residential Parking for Phase 2, as per Part 1, Section 2.25.1(b)	
l) Maximum Floor Area for all Non-Residential Uses:	1000 m <sup>2</sup>
<b>4. <u>Regulations for Stacked Townhouses</u></b>	
a) Notwithstanding Part 16, Definitions, Townhouse, Stacked: i) A stacked townhouse building shall contain a minimum of four and a maximum of 24 units; and ii) Access to all second level and upper level units shall be either from an interior stairway within the building or an exterior stairway.	
b) Yard Abutting a Residential Zone:	11.9 m including rooftop amenity and balconies
c) Maximum Number of Units:	81
d) Maximum Height:	4 storeys up to 12.7 m
e) Dwelling Units/Habitable Rooms:	Not permitted on the 4 <sup>th</sup> storey
f) Privacy Areas: i) Privacy areas for ground level units are permitted to have privacy screens on two sides only; with the opening on the side opposite the building. ii) Rooftop privacy areas permitted to have glass screens or railings with a minimum height of 1 m along exterior walls of building.	
g) Parking: i) Occupant: ii) Visitor:	1 space/unit 0.2 spaces/unit

iii) Loading:	None Required
5. <u>Regulations Applicable to Entire Site</u>	
a) Floor Area Ratio	1.88:1 Maximum
b) Landscape Area Abutting a Street:	1 m Transformers, walkways and Street furniture may encroach.
c) Landscape Buffers:	Transformers, underground stormwater tanks and vents may encroach.
d) Setback from street for below grade parking structures:	1 m
e) Amenity Area:	25 m <sup>2</sup> per unit
f) Setback from Driveway or Parking Lot/Parking Spaces to Window of Habitable Room:	2 m
g) Setback from Ramp and Loading Space to Window of Habitable Room:	0 m
h) Carshare Spaces may be included in required parking calculation.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	

Enacted and passed this 7<sup>th</sup> day of August, 2024

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

Deputy Clerk Lisa Palermo \_\_\_\_\_

