

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.492

A By-law to amend By-law 2020, as amended; 141, 147 and 153 Plains Road
West
File No.: 520-10/24 (PL-90-24)

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 December 10, 2024, to amend the City’s existing Zoning By-law 2020, as amended, to permit an apartment building with non-residential uses on the ground floor.

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

- 1. Zoning Map Number 3-E 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.
- 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:

#91	H-MXG-545	Map 3-E	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 Noise Feasibility Study addressing the peer review comments prepared by R.J. Burnside and Associates, dated October 4, 2024, and revised October 31, 2024 and all mitigation measures shall be incorporated into the site plan to the satisfaction of the Director of Community Planning and Halton Region
- 4. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations is amended by adding Exception 545 as follows:

Exception 545	Zone MXG	Map 3-E	Amendment 2020.492	Enacted December 10, 2024
<u>1. Regulations for an Apartment Building:</u>				
a)	Non-residential Floor Area:	175 m ²		
b)	Maximum Height:	12 storeys including mechanical penthouse/amenity level		
c)	Dwelling Units:	Not permitted on the 12 th storey		
d)	Maximum Floor Area Ratio:	5:1		
e)	Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting Plains Road west of the Queen Elizabeth Way shall not apply.			
f)	Front Yard:			
	i) Ground Floor to 6:	2.9 m		
	ii) Floors 7 to 11:	4.4 m		
	iii) Floors 12:	9.2 m		
g)	East Side Yard:			
	i) Ground Floor to 6:	5 m		
	ii) Floors 7 to 12:	10.4 m		
h)	West Side Yard:			
	i) Ground Floor:	5.0 m to column; 13.5 m to building wall		
	ii) Floors 2 to 6:	4.5 m		
	iii) Floors 7 to 11:	10 m		
	iv) Floors 12:	14.9 m		
i)	Rear Yard:			
	i) Floor 1:	12 m to column; 13.5 m to building		
	ii) Floors 2 to 11:	13.5 m		
	iii) Floor 12:	17 m		
j)	Below Grade Parking Structure:			
	i) Abutting Plains Road West	2.7 m to the parking structure; 0 m to the below grade stormwater detention/retention tank		
	ii) All other yards:	0.3 m		
k)	Amenity Area:	14.5 m ² per unit		

- l) A rooftop terrace and/or a rooftop amenity terrace shall maintain the principal building yards of the storey below it.
- m) Balcony and Terraces:
- i) Front Yard:

Floor 2:	1.5 m
Floors 3 to 4	1.3 m
Floor 5:	1.4 m
Floor 6:	1.3 m
Floor 7:	2.8 m
Floors 8 to 11:	2.8 m
Floor 12:	2.8 m green roof
 - ii) East side Yard:

Floor 7:	8 m
Floors 8 to 11:	9 m
 - iii) West side Yard:

Floor 2 to 6:	3 m
Floor 7:	8 m
Floors 8 to 11:	5.2 m
Floor 12:	8.5 m amenity terrace
 - iv) Rear Yard:

Floors 2 to 11:	12.5 m
Floor 12:	12.5 m amenity terrace
- n) Architectural Wall Projections from a building wall:
- i) Front: 1.9 m
 - ii) West Side: 1.6 m
 - iii) Rear: 2.8 m
- o) Landscape Area:
- i) Abutting a street adjacent to a building: 0 m
 - ii) Abutting a street adjacent to a parking lot: 3 m
- p) Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required.
- i) Where parking facilities are provided, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided

parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).

- ii) A maximum 16 occupant parking spaces can be provided in compact vehicle parking space.
- iii) Notwithstanding Part 1, Section 2.26(1)(a), a compact parking space shall have the following dimensions:
 - a. width of 2.4 m;
 - b. area of 13.2 m²

q) Bicycle Parking:

- i) Short-term: 0.1 bicycle parking spaces per unit
- ii) Long-term: 0.5 bicycle parking spaces per unit

r) For the purpose of Bicycle parking regulations:

- i) 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. Required long term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony or in a storage locker.
- ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements.
- iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.

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

ENACTED AND PASSED this 10th day of December, 2024

_____MAYOR

_____CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.492

By-law 2020.492 rezones lands on 141, 147 and 153 Plains Road West, to permit a 12-storey mixed-use building, including Mechanical Penthouse and rooftop amenity area.

For further information regarding By-law 2020.545, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7642.

