

BY-LAW NUMBER 2020.491, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.491

A By-law to amend By-law 2020, as amended for 5051 Harvester Drive to facilitate the development of a 5-storey self-storage building with office uses and related retail space.

File No.: 520-11/24

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-83-24 on December 3, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit a storage locker facility as primary uses, an increase in accessory retail space as well as technical modifications;

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

1. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

#92	H-BC1-548	Map 27-W	Resolution: December 10, 2024
	H-BC-62		

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

- i. Obtain the required Road widening to the satisfaction of Halton Region;
 - ii. A revised Functional servicing Report has been submitted and reviewed to the satisfaction of Halton Region;
2. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 548 as follows:

Exception 548	H-BC1-548	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Permitted Uses</u>				
a) Only the following uses shall be permitted: Office Uses: All Office Uses Storage Locker Facility Accessory retail use in association with a Storage Locker Facility				
2. <u>Regulations:</u>				
a) Yard Abutting a Street:				12 m
b) North Side Yard:				0 m to retaining wall
c) Floor Area: i. Minimum office area: ii. Maximum accessory retail area: iii. Maximum floor area:				5,100m ² 1,200m ² 32,300m ²
d) A hydro transformer shall be permitted in the required landscape area abutting a street.				
e) Loading and Unloading: i. Loading / unloading docks shall be permitted on the building elevation facing South Service Road. ii. Loading / unloading activities shall be permitted in a yard abutting South Service Rd.				
f) Parking: i. Notwithstanding Part 1, Subsections 2.25.1 there shall be no parking required. ii. 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).				
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

3. Part 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amending Exception 62 as follows:

Exception 62	H-BC1-62	Map 27-W	Amendment 2020.491	December 10, 2024
1. <u>Additional Permitted Use:</u>				
Service Commercial: Fast Food Restaurant with Drive-Through Facilities				
2. <u>Regulations:</u>				
a) Lot Area:				0.8 ha
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

4 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.

4 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 this 10 day of December.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

Explanation of Purpose and Effect of By-Law 2020.491

By-law 2020.491 rezones 5051 Harvester Road to permit a 5-storey non-residential building and existing non-residential uses.

