

BY-LAW NUMBER 2020.489, SCHEDULE 'A' AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.489

A By-law to amend By-law 2020, as amended; 759 Maple Avenue
File No.: 520-12/24 (PL-88-24)

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-88-24 on December 10, 2024, to amend the City’s existing Zoning By-law 2020, as amended, to permit four (4) townhouse units of 4-storeys in height on a private road;

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

1. Zoning Maps Numbered 9-W & 9-E of PART 15 to By-law 2020, as amended, are 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 H-RM5 to H-RM2-546.
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:

#93	H-RM2-546	Map 9-W & 9-E	Resolution:
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

- a) A pre-construction exploratory root exercise by a qualified tree professional and submit a pre-construction exploratory root investigation report to the satisfaction of the Manager of Urban Forestry.
- b) A written consent letter from the neighbouring property owner confirming any required injury and/or removal of trees 7 to 10 following completion of the pre-construction exploratory root investigation

exercise and report to the satisfaction of the Manager of Urban Forestry.

- c) Confirmation from the Ministry of Citizenship and Multiculturalism - Heritage Branch on whether an archaeological assessment is required is to be provided to the satisfaction of the City of Burlington Director of Planning

- 4. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by adding Exception 546 as follows:

Exception 546	Zone RM2	Map 9-W & 9-E	Amendment 2020.489	Enacted Dec 10/24
<p>1. <u>Regulations for townhouses:</u></p> <ul style="list-style-type: none"> a) Lot Width: 21 m b) Lot Area: 0.1 ha c) Southeast Side Yard: 1.6m d) Landscape Buffer abutting R1, R2, R3 zone: 2.4m <ul style="list-style-type: none"> i. A driveway may encroach 2.1m into the landscape buffer with a maximum encroachment length of 6.4m e) Landscape Area: <ul style="list-style-type: none"> i. Abutting a street adjacent to a parking space: 3.8m ii. Abutting a street adjacent to a building: 6m f) Maximum Height for Peaked Roof Townhouse Dwellings: Four Storeys and 14.5m g) Driveway Length: 5.7m h) Parking spaces shall be setback a minimum of 2.4m from a residential zone. i) Driveways shall be setback a minimum of 0.3m from an R1, R2, R3 zone. j) Notwithstanding Part 1, Section 2.25.3, a loading space is not required. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

- 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 2020.489

By-law 2020.489 rezones lands on 759 Maple Avenue, to permit four (4) townhouse units of 4-storeys in height on a private road.

For further information regarding By-law 2020.489, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

