

The Corporation of The City of Burlington

City of Burlington By-law 2020.494

A By-law to amend By-law 2020, as amended for Additional Residential Units;
File No.: 520-13/24 (DGM-01-25)

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 the recommendations in report DGM-01-25 on Jan. 13, 2025, for city-initiated general amendments to Zoning By-law 2020, as amended;

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

1. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.21 Uses Permitted in All Zones, is further amended by replacing subsection 2.21 (u) with the following:

“(u) Additional Residential Units

- (i) Permitted in the R1, R2, R3, R4, R5, RM1, RM2, RM3, RM4, RM5, RH1, RH2, RH4, RH5, RO1, RO2, RO3, RO4, RAL1, RAL2, RAL3, RAL4, REV1, REV2, REV3, MXG, MXC, MXT, DRM, DRL, UCR1, UCR2, UCR3, URH, URM, RNA1, RNA2, RNA3, SNA, ONA, and DNA zones, and any exception numbers associated with these zones, and in the O2-195, O2-196, and O3-196 zones.
- (ii) Also permitted in a zone preceded by an H (Holding) zone prefix in an existing building lawfully permitted on the date the amending By-law creating the ‘H’ zoning was enacted.
- (iii) In addition to the principal dwelling unit, up to three Additional Residential Units are permitted on a parcel of urban residential land where one Detached Dwelling, Semi-Detached Dwelling, Street Townhouse, or Townhouse is permitted. For clarity, Additional Residential Units in association with a Townhouse are only permitted on a Parcel of Tied Land where one Townhouse is permitted.
- (iv) Only one Additional Residential Unit may be located within an Accessory Building.
- (v) Only one exterior entrance is permitted on each elevation of the principal building facing a street.
- (vi) Tandem parking spaces are permitted.
- (vii) Additional Residential Units shall not be included in the calculation of maximum density, maximum number of dwelling units, or minimum number of visitor parking spaces.

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- (viii) Requirements for minimum floor area per dwelling unit and minimum floor area ratio shall not apply to lots with Additional Residential Units.
- (ix) Notwithstanding Part 1, Subsection 2.2 (b), the floor area of an Accessory Building containing an Additional Residential Unit is permitted up to a maximum of 80 m².
- (x) Notwithstanding Part 1, Subsection 2.2 (b), a lawfully existing Accessory Building is permitted to be converted to an Additional Residential Unit.
- (xi) Notwithstanding Part 2, Section 4.1, Table 2.4.1, requirements for a minimum 3 metre side yard shall not apply for the conversion of a lawfully existing attached garage into an Additional Residential Unit.
- (xii) Notwithstanding anything in this By-law for all buildings with Additional Residential Units the maximum lot coverage may be the greater of the applicable zone requirement or 45%.
- (xiii) Notwithstanding Part 2, Section 4.5, requirements for maximum floor area ratio shall not apply to properties with Additional Residential Units.
- (xiv) Exterior recladding of a building may project a maximum of 0.05 metres from the existing wall of the building.”

2. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25, Table 1.2.6: Off-Street Parking Standards is further amended by replacing “1 space per unit” under the Parking Standard for Additional Residential Unit with:

“First unit: 0 spaces
Second or third units: 1 space”.

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.

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 2025.

_____ MAYOR

_____ CITY CLERK

Appendix B – Proposed Zoning By-law Amendment 2020.494 (520-13/24)

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.494

By-law 2020.494 amends Part 1 of the City's Zoning By-law 2020, as amended, for the purpose of complying with changes made to the *Planning Act* regarding Additional Residential Units through O. Reg. 299/19, as amended, aligning with the City's Housing Accelerator Fund Action Plan to boost housing supply and implementing Amendment No. 3 to the Official Plan of the City of Burlington, 2020.

For further information regarding By-law 2020.494, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7777, extension 7954.