

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.512

By-law to amend By-law 2020, as amended for 2072 Lakeshore Road to facilitate the development of a 23-storey mixed use building with retail/service commercial uses and residential units.
File Nos.: 505-01/25 & 520-01/25 (DGM-66-25)

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 Recommendation DGM-66-25 on September 8, 2025, to amend the City's existing Zoning By-law 2020, as amended, to permit a 23-storey mixed use building consisting of 164 residential units and 325 m² of retail/service commercial space;

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

1. Zoning Map Number 13 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 from DL-A (Downtown Old Lakeshore Road) zone to the DL-A-566 (Downtown Old Lakeshore Road) zone with site specific regulations.
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:

#105

H-DL-A-566

Map 9A-E

Resolution:

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

- i. A Draft Reference Plan has been submitted identifying the required land conveyances in accordance with the City's Streetscape and Right of Way Design for Lakeshore Road;
- ii. All plans, drawings and reports implementing designs within the new developable limits have been reissued;
- iii. A revised Noise Feasibility Study has been submitted and approved by the City, to the satisfaction of the Director of Community Planning;
- iv. The Qualified Person confirms in the Phase Two Environmental Site Assessment that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the

applicable standards, remediation and/or risk assessment works will be required prior to change in land use

- v. That sufficient wastewater services are available to the satisfaction of the Regional Municipality of Halton and the City of Burlington. In this regard, downstream sewer constraints that include the sanitary sewer pumping station shall be addressed and any upgrades and/or replacement for the station be constructed and in operation, or other arrangements, satisfactory to Halton Region, have been made for the provision of wastewater services.

4. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding a new Exception 566 with the following:

- a) Notwithstanding the regulations of the DL-A Zone and other general provisions to the contrary, the following provisions apply:

Exception 566	Zone DL-A	Map 9A-E	Amendment 2020.512	Enacted September 16, 2025
1. Notwithstanding, Part 1, Section 2.27 - Table 1.2.9, the deemed width of Lakeshore Road shall be 24 m.				
2. <u>Regulations for an Apartment Building</u>				
a) Notwithstanding Part 6, Section 2A, Table 6.2.1, footnote (g), permitted uses on the ground floor of an apartment building shall include retail, service commercial, and all office uses.				
b) Notwithstanding Part 6, Section 4.1, Table 6.4.1, maximum yards abutting a street are not required.				
c) Non-residential floor area for retail, service commercial and/or office uses:			325 m ²	
d) Yard Abutting Lakeshore Road:				
(i) Floors 1 and 2:			0 m to column, 2 m to building wall	
(ii) Floors 3 to 23:			3 m	
(iii) Mechanical Penthouse:			6 m	
(iv) Balconies/Terraces (Floor 3):			0 m	
(v) Balconies/Terraces (Floors 4-23):			1 m	
e) Yard Abutting Pearl Street:				
(i) Floors 1 and 2:			0 m to column, 2 m to building wall	
(ii) Floors 3 to 23:			3 m	
(iii) Mechanical Penthouse:			6 m	
(iv) Balconies/Terraces (Floor 3):			0 m	
(v) Balconies/terraces (Floors 4-23):			1 m	
f) Yard Abutting Old Lakeshore Road:				

(i) Floors 1 and 2:	0 m to column, 2 m to building wall
(ii) Floors 3 to 23:	3 m
(iii) Mechanical Penthouse:	6 m
(iv) Balconies/Terraces (Floor 3):	0 m
(v) Balconies/Terraces (Floors 4-23):	1 m
g) East Side yard:	
(i) Floors 1 and 2:	0 m
(ii) Floors 3 to 23:	12.5 m
(iii) Mechanical Penthouse:	15.5 m
(iv) Balconies/Terraces (Floors 3-23):	10.4 m
h) Yard abutting the arc of the daylight triangle at Pearl Street and Lakeshore Road:	
(i) Floors 1 to Floor 2:	0 m to column
(ii) Floor 3:	0 m to balconies/terraces
(iii) Floors 4 to 23:	1 m to balconies/terraces
i) Yard abutting the arc of the daylight triangle at Pearl Street and Old Lakeshore Road:	
(i) Floors 1 to Floor 2:	0 m to column, 2.5 m to the building
(ii) Floor 3:	0 m to balconies/terraces
(iii) Floors 4 to 23:	1 m balconies/terraces
j) Above Grade and Below Grade Parking Structures:	
(i) Setback for a below grade parking structure abutting all lot lines and/or street lines:	0 m
(ii) Entrance and exit ramp setback from Old Lakeshore Road:	2 m
(iii) Entrance and exit ramp setback from Lakeshore Road:	3.3 m
k) Maximum Building Height:	23 storeys to 75.7 m from Fixed Grade, excluding the mechanical penthouse.
l) Mechanical Penthouse Height:	6.7 m maximum measured from the top of the roof of the 23 rd storey
m) Minimum height of second storey:	2.8 metres
n) Second Floor Area:	150m ²
o) Maximum Number of Residential Units:	164
p) Maximum Floor Area Ratio:	13.85:1
q) Parking for Apartment Dwelling Units:	0.98 spaces per unit

r) Bicycle Parking: (i) Short-Term (ii) Long-Term	0.05 spaces per unit 0.5 spaces per unit
s) Bicycle Parking space size: (i) Vertical space: (ii) Stackable space:	0.6 m x 1.2 m 0.45 m x 1.8 m
t) For the purposes 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 where feasible.	
u) The first floor elevation of any building facing a street shall have a minimum of 50% glazing.	
v) An overhead door is permitted on the building elevation facing Lakeshore Road	

Except as amended herein, all other provisions of the By-law and the DL-A zone, shall apply.

1. 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.
2. If one or more appeals are filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, 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 Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this 16th day of September 2025

MAYOR

CITY CLERK

Explanation of Purpose and Effect of By-Law 2020.504 By-law 2020.512 rezones 2072 Lakeshore Road to permit a 23-storey mixed use building.

For further information regarding By-law 2020.512, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7462.

